

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE  
ENGINEERS' BENEFICIAL  
ASSOCIATION,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 1-05

DECISION NO. 427 - MEC

ORDER CLOSING  
SETTLED COMPLAINT

*Mario Micomonaco*, Union Representative, appearing for District No. 1, Marine Engineers' Beneficial Association.

Christine Gregoire, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission on July 6, 2004 when Mario Micomonaco, District No. 1, Marine Engineers' Beneficial Association (MEBA), filed an unfair labor practice complaint against Washington State Ferries (WSF). The complaint was docketed as MEC Case 1-05.

In its complaint, MEBA charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by interfering with, restraining or coercing employees in the exercise of rights; dominating or interfering with formation or administration of employee organization; encouraging or discouraging membership in employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment.

Specifically, MEBA alleged that WSF made a unilateral change and violated Rule 35.01 of the 1999-2001 Unlicensed CBA by refusing to provide a relief oiler for Union Negotiating

Committee Member Beth LeBlanc to conduct and perform her duties at the June 10 meeting on contract issues. MEBA alleges that Licensed Engineers Ray Twitty and Jim Saunders, two other Negotiating Committee members, were also prevented from attending this meeting.

On July 7, 2004 WSF requested the MEC rule that the complaint be processed through the contractual grievance procedure. On July 16, 2004 MEBA reported the parties were trying to resolve the issue through the grievance process.

During MEC's October 22 public meeting, MEBA withdrew its complaint. MEBA's withdrawal states that the union received a letter of agreement from Paul Elsey, WSF Labor Negotiator, agreeing to abide by the union contract as it pertains to relief of committee members.

### **ORDER**

It is hereby ordered that the unfair labor practice complaint, filed by District No. 1, MEBA against WSF and docketed as MEC Case No. 1-05, is closed in acknowledgment of the parties' agreement.

DATED this 1st day of November 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner