

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 1-06

DECISION NO. 516 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Schwerin, Campbell, Barnard and Iglitzin by *Robert Lavitt* and *Natalie Teague*, attorneys, appearing for the Inlandboatmen's Union of the Pacific.

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for the Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on July 8, 2005, when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint, MEC Case No. 1-06, against the Washington State Ferries (WSF).

IBU's complaint 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; encouraging or discouraging membership in an employee organization; and refusing to bargain collectively with representatives of employees.

Specifically, IBU alleged that WSF refused to honor an interim agreement signed during mediation (on October 12, 2004) stating "the parties will immediately develop a uniform and joint approach and effort to secure economic increases from the Legislature for the 2005-2007 contract."

Following review of the IBU's complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. A

settlement conference was set for October 11, 2005 with Chairman John Swanson assigned to serve as Mediator. Commissioner John Sullivan was designated to act as Hearing Examiner for the hearing scheduled on November 16, 2005.

During the October 11 settlement conference, the IBU and WSF made progress toward resolution. They agreed to cancel the November 16 hearing date and continue settlement efforts without a mediator present.

On December 19, 2005, the IBU requested the MEC reschedule a hearing date. The hearing was continued to May 18, 2006, but was postponed when WSF's main witness was called out of town. The MEC continued hearing was set for October 17, 2006, but cancelled again when the IBU's primary witness was not available to testify on that date.

By letter on May 29, IBU Counsel Robert Lavitt withdrew the IBU's complaint.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by the IBU against the WSF and docketed as MEC Case 1-06, is closed in acknowledgement of the IBU's withdrawal.

DATED this 12th day of June 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner