

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION)	MEC Case No. 1-96
OF THE PACIFIC,)	
)	DECISION NO. 157 - MEC
Complainant,)	
)	
v.)	ORDER DISMISSING
)	ADJUSTED COMPLAINT
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	
)	

THIS MATTER came before the Marine Employees' Commission on March 14, 1996, when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint 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, and by refusing to bargain collectively with the union. IBU alleged that in the fall of 1995, WSF unilaterally altered the terms and conditions of employment, without notice or bargaining with the IBU, by refusing to pay employees overtime for all hours beyond their regularly scheduled hours when WSF schedules the employees for training; and by refusing to pay employees for their regularly scheduled shift, including a paid meal period, when the employee is required to report for training during a regularly scheduled shift.

The matter was docketed as MEC Case No. 1-96. Letters acknowledging receipt of the ULP complaint were sent to the parties. Pursuant to WAC 315-45-110, the MEC determined that the facts alleged may constitute an unfair labor practice if later

found to be true and provable. Chairman Henry L. Chiles, Jr. was appointed to act as hearing examiner.

A prehearing/settlement conference was convened on May 2, 1996. At the parties' request, the May 21, 1996 hearing date was continued to June 17, 1996, and later to August 8, 1996 in order to facilitate settlement negotiations.

By facsimile on August 5, 1996, IBU counsel Elizabeth Ford notified MEC that the parties had resolved this matter and that IBU was withdrawing the complaint. Ms. Ford stated that WSF had agreed that the employees involved had their pay adjusted to the appropriate amount and future situations will be handled in accordance with the collective bargaining agreement.

ORDER

Based on the representations of IBU counsel that this matter has been satisfactorily resolved by the parties, it is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case No. 1-96, is dismissed.

DATED this 15th day of August 1996.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, JR., Chairman

/s/ JOHN P. SULLIVAN, Commissioner

/s/ DAVID E. WILLIAMS, Commissioner