

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL)	MEC Case No. 1-97
EMPLOYEES' INT'L UNION,)	
LOCAL 8,)	
)	
Complainant,)	
)	DECISION No. 166 - MEC
)	
v.)	ORDER OF DISMISSAL
)	
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	
_____)	

THIS MATTER came before the Marine Employees' Commission (MEC) on February 7, 1997, when the Office and Professional Employees' International Union, Local 8 (OPEIU) filed an unfair labor practice complaint against the Washington State Ferries (WSF).

OPEIU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by dominating or interfering with the formation or administration of the employee organization and by refusing to bargain collectively with the union.

Specifically, OPEIU alleged that WSF bargained in bad faith by refusing to resolve labor disputes with OPEIU by use of the procedures agreed to in the parties' collective bargaining agreement. In several instances, WSF thwarted the intent of the grievance processes because it failed to follow grievance procedures which specify resolving disputes at the lowest possible

Level, and instead exhausted the three internal grievance resolution processes. OPEIU additionally alleged that by its bad faith bargaining, WSF discouraged OPEIU members from filing grievances, thereby interfering with the administration of the union.

The complaint was docketed as MEC Case No. 1-97. A letter acknowledging receipt of the ULP complaint was sent to the parties. Copies of the complaint were distributed for review and processing by the MEC. Pursuant to WAC 316-45-110, the MEC determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. Commissioner David E. Williams was assigned to act as hearing examiner.

On February 25, 1997, Linda Dalton, Senior Assistant Attorney General, requested the MEC consolidate this matter for hearing with MEC Case No. 2-97 and No. 4-97 (two unfair labor practice complaints subsequently filed by OPEIU). Ms. Dalton noted there was significant duplication of issues in the three complaints. On March 6, 1997, MEC received a letter from Ron Weigelt, OPEIU, objecting to consolidation of the three complaints, arguing that the issues were not the same and that their differences would become more obvious at the hearing. OPEIU amended its complaint on March 6, 1997.

A Settlement Conference was scheduled for April 9, 1997. By letter on March 28, 1997, OPEIU Representative Ron Weigelt withdrew the complaint.

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ORDER

It is hereby ordered that the unfair labor practice complaint, filed by OPEIU against WSF and docketed as MEC Case No. 1-97, is dismissed.

DATED this 25th day of April 1997.

MARINE EMPLOYEES' COMMISSION

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

/s/ JOHN P. SULLIVAN, Commissioner

/s/ DAVID E. WILLIAMS, Commissioner