

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
KELVIN SALLETTE,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 10-03

DECISION NO. 345 - MEC

ORDER DISMISSING
ADJUSTED GRIEVANCE

Dennis Conklin, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and Kelvin Sallette.

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 (MEC) on August 26, 2002, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Kelvin Sallette. IBU asserted that WSF failed to provide the union with pay records for Kelvin Sallette, as agreed, to "prove WSF's point." IBU claimed to have addressed the matter on three different occasions, the last being September 5, 2001.

IBU certified that the grievance procedures in the pertinent IBU/WSF Collective Bargaining Agreement had been utilized and exhausted. In addition, the union certified that the arbitrator's decision shall not change or amend the terms, conditions or application of said collective bargaining agreement and that the arbitrator's award shall be final and binding.

The request for grievance arbitration was docketed as MEC Case No. 10-03.

Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled

for October 20, 2002. Chairman John Nelson was designated to act as Arbitrator at the hearing scheduled for November 25, 2002.

The parties reached agreement during the October 30 settlement conference. Commissioner Byrne forwarded the parties' signed settlement agreement to the MEC office (received November 1, 2002). The agreement constitutes IBU's request to withdraw the grievance. The signed agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific on behalf of Kelvin Sallette and docketed as MEC Case No. 10-03, be dismissed.

DATED this 7th day of November 2002.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

Settlement Agreement
MEC Case 10-03

The parties have settled this case as follows:

- A. The second sentence of Rule 31.02 entitled employees writing examinations and otherwise meeting the requirements of Rule 31.02 to up to five days pay regardless of scheduled days off.
- B. Kelvin Sallette will be paid 24 hours pay at \$19.76/hr on or before the payroll of November 10, 2002.
- C. The grievance is settled and the request for arbitration is withdrawn provided the terms of settlement are implemented.

/s/ Dennis Conklin
IBU

/s/ David J. Slown
WSF