

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC and
INTERNATIONAL ORGANIZATION
OF MASTERS, MATES & PILOTS,

Complainants,

v.

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION, FERRIES
DIVISION,

Respondent.

MEC CASE NO. 10-10

DECISION NO. 580 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Schwerin, Campbell, Barnard, Iglitzin and Lavitt, by *Robert Lavitt*, Attorney, appearing for the Inlandboatmen's Union of the Pacific (IBU) and the International Organization of Masters, Mates and Pilots (MM&P).

Robert McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Department of Transportation, Ferries Division (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on February 4, 2010, when the Inlandboatmen's Union and Masters, Mates and Pilots filed an unfair labor practice complaint, MEC Case No. 10-10, against the Washington State Department of Transportation, Ferries Division.

The complaint filed by IBU and MM&P charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by refusing to bargain collectively with representatives of employees. Specifically, the Unions alleged that during negotiations over spring 2010 crew schedules, WSF refused to entertain certain union proposals for crew schedules as long as the Unions grievance over payment for employees working non-conforming shifts was pending.

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Following review of the complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. Commissioner John Cox was assigned as Mediator for the settlement conference scheduled on May 11, 2010. Chairman John Swanson was designated to act as Hearing Examiner and a hearing scheduled for June 28, 2010.

By letter on April 15, 2010, Union Counsel Robert Lavitt notified the Commission that the underlying dispute in Case 10-10 had been satisfactorily resolved. The IBU and MM&P withdrew the complaint.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU and MM&P against WSF, and docketed as MEC Case 10-10, is closed in acknowledgement of the parties' agreement.

DATED this 23rd day of April 2010.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner