

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION	)	MEC CASE No. 10-96
OF THE PACIFIC,	)	
	)	DECISION NO. 162 - MEC
Complainant,	)	
	)	
v.	)	ORDER DISMISSING
	)	ADJUSTED COMPLAINT
WASHINGTON STATE FERRIES,	)	
	)	
Respondent.	)	
_____	)	

THIS MATTER came before the Marine Employees' Commission on September 30, 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. IBU alleged that WSF refused to meet with the union for the purpose of resolving grievances as required by Rule 16, Step II of the collective bargaining agreement. WSF would, instead, routinely send IBU letters denying grievances without first having met with the union.

The matter was docketed as MEC Case No. 10-96. Letters acknowledging receipt of the ULP complaint were sent to the parties. Pursuant to WAC 315-45-1101, 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 appointed to act as hearing examiner.

ORDER DISMISSING  
ADJUSTED COMPLAINT - 1

A prehearing/settlement conference was convened by Chairman Henry L. Chiles, Jr. on December 6, 1996. The hearing was scheduled for January 16, 1997.

By facsimile on January 14, 1997, IBU counsel, Elizabeth Ford, notified the MEC that the parties had resolved this matter and that IBU was withdrawing the complaint. A copy of the parties' settlement agreement is attached hereto.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case No. 10-96, is dismissed.

DATED this 24<sup>th</sup> day of January 1997.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, Jr. Chairman

/s/ JOHN P. SULLIVAN, Commissioner

## Settlement Agreement

In settlement of Marine Employees Commission charge number 10-96, the Inlandboatmen's Union of the Pacific ("IBU") and the Washington State Ferry System ("WSF") agree as follows:

1. The WSF agrees not to issue any denial of grievances submitted by the Union in accordance with Step II of the contractual grievance procedure until it has met with the IBU and negotiated in good faith to resolve that grievance.
2. The WSF will meet with the IBU once per week on Tuesdays beginning at 9:30 a.m., and concluding at 12:30 noon, at Pier 52 to discuss outstanding grievances.
3. The WSF agrees to negotiate in good faith in an effort to resolve outstanding grievances, and agrees that its representative at the weekly meetings will have the authority to settle outstanding grievances.
4. The first such meeting will be held on December 19, 1996 at 1:30 p.m. at Pier 52. At this meeting the parties will discuss the Charmaine Palmer-Mandell grievance. The WSF agrees to provide all information which forms the basis for its position with respect to this grievance to the Union by December 12, 1996.
5. After the meeting on December 19, the parties will meet on Tuesdays as described above beginning on January 7, 1996.
6. In exchange for this agreement, the Union agrees to withdraw its MEC charge number 10-96.

DATED this 16<sup>th</sup> day of December, 1996.

/s/ Dennis W. Conklin  
Inlandboatmen's Union of the Pacific

/s/ Jim Yearby  
Washington State Ferries

1/3/97