

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

JONATHAN B. PETERS,	)	MEC Case No. 11-92
	)	
Grievant,	)	
	)	DECISION NO. 91 - MEC
v.	)	
	)	ORDER OF DISMISSAL
WASHINGTON STATE FERRIES,	)	
	)	
Respondent.	)	
_____	)	

Mark Austin, Branch Agent, Pacific Coast District No. 1, Marine Engineers Beneficial Association, representing Jonathan Peters.

Christine Gregoire, Attorney General, by Robert McIntosh, Assistant Attorney General, representing Washington State Ferries.

THIS MATTER came before the Marine Employees' Commission (MEC) on November 17, 1992 when Mark Austin, Branch Agent for Pacific Coast District No. 1, Marine Engineers Beneficial Association (PCD 1/MEBA) filed a request for grievance arbitration against Washington State Ferries (WSF) on behalf of Jonathan Peters. The request for arbitration alleged a violation of Section 6(e) of the Licensed Engineer Officers Agreement with WSF. The matter was docketed as MEC Case No. 11-92, and assigned to Commissioner Louis O. Stewart to act as arbitrator pursuant to WAC 316-65-070.

On December 7, 1992 Mr. Peters filed a notice with MEC, indicating copies to Mr. Austin and WSF, that he was personally negotiating a settlement of his grievance with WSF. Arbitrator Stewart contacted Mr. Austin by telephone to ask if he wished to withdraw the request for arbitration in view of the grievant's statement that his remedies pursuant to the collective bargaining agreement were not yet exhausted. Mr. Austin indicated that MEBA has the burden of

enforcing its agreement with WSF and that he intended to proceed. He asked that no hearing be scheduled until he had opportunity to discuss the matter with Mr. Peters.

On March 3, 1992 Mr. Austin filed with MEC a copy of his letter, dated March 1, 1993, to Mr. Peters indicating that a lack of response from Mr. Peters has caused the union to "consider the grievance dropped" and that the union will "cancel the request for an arbitration hearing."

Arbitrator Stewart considers the filing of the foregoing letter to constitute a motion for dismissal, and has recommended to MEC that MEC Case No. 11-92 be dismissed.

ORDER OF DISMISSAL

The Marine Employees' Commission hereby orders that the matter of Jonathan Peters v. Washington State Ferries, filed November 17, 1992, be dismissed.

DONE this 15<sup>th</sup> day of March 1993.

MARINE EMPLOYEES' COMMISSION

/s/ DAN E. BOYD, Chairman

/s/ DONALD E. KOKJER, Commissioner

/s/ LOUIS O. STEWART, Commissioner