

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL
EMPLOYEES INTERNATIONAL
UNION, LOCAL 8,

Complainant,

v.

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION, FERRIES
DIVISION,

Respondent.

MEC CASE NO. 12-09

DECISION NO. 570 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Shannon Halme, Union Representative, appearing for Office and Professional Employees International Union, Local 8 (OPEIU).

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 18, 2009, when Shannon Halme, representative for Office and Professional Employees International Union, Local 8, filed an unfair labor practice complaint, MEC Case No.12-09, against the Washington State Ferries.

OPEIU'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; dominating or interfering with the formation or administration of an employee organization; and encouraging or discouraging membership in an employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment.

Specifically, OPEIU alleged that WSF violated OPEIU's exclusive jurisdiction of the Payroll Coordinator position and the Union's collective bargaining rights by assigning Payroll Coordinator duties to the Interim Payroll Manager position.

Following review of OPEIU's complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. A settlement conference was set for July 7, 2009 with Commissioner John Cox assigned to serve as

Mediator. Commissioner Patricia Warren was designated to act as Hearing Examiner; the hearing was scheduled for August 19, 2009.

During the July 7, 2009 conference, the OPEIU and WSF made progress toward resolution. On July 29, Ms. Halme requested that the hearing be postponed while the parties continued to finalize details of a settlement. The August 19 hearing was cancelled.

By letter on October 1, 2009 Shannon Halme, OPEIU, notified the MEC that this matter has been settled. OPEIU withdrew its complaint.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by OPEIU against WSF and docketed as MEC Case No. 12-09, is closed in acknowledgment of the parties' agreement.

DATED this 29th day of October 2009.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner