

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
HAROLD FOSTER,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 13-04

DECISION NO. 388 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

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

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 15, 2003, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Harold Foster. IBU alleged that WSF assigned work to less senior employees, bypassing Harold Foster, in violation of Rules 12 and 21 of the IBU/WSF Collective Bargaining Agreement.

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. 13-04.

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

scheduled for October 15, 2003. Commissioner John Byrne was designated to act as Arbitrator at the hearing scheduled for November 20, 2003.

The matter was not resolved during the October 15 settlement conference; additional documentation was required. By letter on October 28, 2003, Jeff Engels, IBU, reported Case 13-04 settled and withdrew the grievance.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific on behalf of Harold Foster and docketed as MEC Case No. 13-04, is closed as settled.

DATED this ____ day of November 2003.

MARINE EMPLOYEES' COMMISSION

JOHN SWANSON, Chairman

JOHN SULLIVAN, Commissioner

JOHN BYRNE, Commissioner