

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

WASHINGTON STATE DEPARTMENT OF)
TRANSPORTATION, MARINE DIVISION,)
WASHINGTON STATE FERRIES,)

Complainant,)

v.)

INTERNATIONAL ORGANIZATION OF)
MASTERS, MATES & PILOTS, PACIFIC)
MARITIME REGION,)

Respondent,)

and)

INTERNATIONAL ORGANIZATION OF)
MASTERS, MATES & PILOTS, PACIFIC)
MARITIME REGION,)

Complainant,)

v.)

WASHINGTON STATE DEPARTMENT OF)
TRANSPORTATION, MARINE DIVISION,)
WASHINGTON STATE FERRIES,)

Respondent.)

MEC Case No. 1-90

MEC Case No. 5-90

ORDER OF DISMISSAL

DECISION NO. 52 - MEC

REAUGH, FISCHNALLER & OETTINGER by J.E. Fischnaller, Attorney at Law, representing International Organization of Masters, Mates & Pilots, Pacific Maritime Region.

Kenneth Eikenberry, Attorney General, by Robert McIntosh, representing Washington State Department of Transportation, Marine Division, Washington State Ferries.

THIS MATTER came before the Marine Employees' Commission for

consideration of the International Organization of Masters, Mates Pilots' Motion to Withdraw MEC Case No. 1-90 and the Washington State Ferries' Motion to Withdraw MEC Case No. 5-90.

Following a prehearing conference on April 6, 1990, MEC Case No. 1-90 and MEC Case No 5-90, two unfair labor practice complaints, were consolidated by Hearing Examiner Dan E. Boyd. Hearing of the complaints was scheduled for Thursday, May 31, 1990.

On May 29, 1990, the Marine Employees' Commission was contacted by Captain Dave Boyle of the International Organization of Masters, Mates & Pilots. Captain Boyle notified the Commission that a settlement had been reached between the parties. Captain Boyle indicated that the Commission would receive written notice of mutual withdrawal of the unfair labor practice complaints from counsel for the International Organization of Masters, Mates & Pilots, and from Elton Eilert, WSF Employee Relations Director, on behalf of the Washington State Ferries. Upon this notification, Hearing Examiner Boyd canceled the May 31, 1990 hearing.

On May 30, 1990, the International Organization of Masters, Mates & Pilots, through its counsel J.E. Fischnaller, filed a withdrawal of its complaint, MEC Case No. 5-90. On June 1, 1990, Elton Eilert filed a withdrawal of MEC Case No. 1-90 on behalf of the Washington State Ferries.

The Commission being satisfied that the issues presented by the parties in their unfair labor practice complaints have been resolved, under authority of WAC 316-45-090, now enters the following:

IT IS HEREBY ORDERED, that the unfair labor practice complaint filed by the Washington State Ferries against the Masters Mates & Pilots, MEC Case No. 1-90, and the unfair labor practice complaint

filed by the Masters, Mates & Pilots against the Washington State Ferries, MEC Case No. 5-90, are dismissed.

Dated this 5th day of June, 1990.

MARINE EMPLOYEES' COMMISSION

/s/ DAN E. BOYD, Chairman

/s/ DONALD E. KOKJER, Commissioner

/s/ LOUIS O. STEWART, Commissioner