

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 10-05

DECISION NO. 459 - MEC

ORDER CLOSING  
WITHDRAWN COMPLAINT

Schwerin, Campbell and Barnard, by *Robert Lavitt*, Attorney, appearing for the Inlandboatmen's Union of the Pacific.

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission on August 11, 2004, when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint against Washington State Ferries (WSF). The complaint was docketed as MEC Case 10-05.

In its complaint, IBU 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; and by refusing to bargain collectively with representatives of employees. Specifically, MEBA alleged that WSF unilaterally changed the Code of Conduct and implemented a new policy for disciplinary procedures if an employee collects unemployment benefits and is later found ineligible for those benefits by the Employment Security office.

Pursuant to WAC 316-45-110, following initial review of the complaint, the MEC determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. Chairman John Swanson was assigned to serve as Mediator at a settlement conference scheduled for October 13, 2004. The settlement conference was not held on that date, but continued to December 15 in order to expedite the hearing in another matter. The parties were unable to reach agreement during the December 15 conference. A hearing was scheduled for March 1, 2005, but later cancelled due to the MEC's budget shortfall.

During the MEC's September 23, 2005 public meeting, IBU Business Agent Jay Ubelhart provided the MEC with his signed letter withdrawing Case 10-05.

### **ORDER**

It is hereby ordered that the unfair labor practice complaint, filed by the Inlandboatmen's Union of the Pacific against WSF and docketed as MEC Case No. 10-05, is closed in acknowledgment of the IBU's withdrawal.

DATED this 11th day of October 2005.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner