

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
MATT WILLIAMS,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 11-05

DECISION NO. 428 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

Jay Ubelhart, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and Matt Williams.

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 September 1, 2004, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Matt Williams. IBU alleged that WSF denied Matt Williams travel time at the AB rate of pay after he worked overtime as an OS in violation of Rule 10A.01 of the collective bargaining agreement.

IBU certified that the grievance procedures in the pertinent IBU/WSF Collective Bargaining Agreement have 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. 11-05.

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

scheduled for October 27, 2004. Chairman John Swanson was designated to act as Arbitrator at the hearing scheduled for February 23, 2005.

The parties reached agreement during the October 27 settlement conference. Commissioner Sullivan forwarded the parties' signed settlement agreement to the MEC office (received November 1). That agreement constitutes IBU's request for withdrawal of the grievance. The signed agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific on behalf of Matt Williams and docketed as MEC Case No. 11-05, is closed as settled.

DATED this 9th day of November 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

SETTLEMENT AGREEMENT

MEC Case No. 11-05 (Williams)

IN FULL AND COMPLETE SETTLEMENT of MEC Case No. 11-05, the parties, The Inlandboatmen's Union of the Pacific, (IBU), on behalf of grievant Matt Williams, and Washington State Ferries (WSF) do agree as follows:

THE PARTIES MUTUALLY AGREE:

1. That Rule 10A.02 of their Collective Bargaining Agreement requires that any employee entitled to Travel Time shall be paid at the rate of the employee's regular assigned position. Acceptance of work in a higher or lower classification, or bump-ups, shall not change the rate at which Travel Time shall be paid. On-call employees shall be paid Travel Time at the OS rate, when entitled to Travel Time.

WASHINGTON STATE FERRIES AGREES:

1. To pay grievant Matt Williams the difference between OS and AB rate of pay for 2 ½ hours.
2. Similar adjustments to Williams' Travel Time pay will be made, where appropriate, from April 1, 2004 forward.

THE INLANDBOATMEN'S UNION OF THE PACIFIC AGREES:

1. To withdraw MEC Case No. 11-05. A signed copy of this agreement shall constitute a request for withdrawal, and may be presented by either party.

Dated this 27th day of October, 2004.

For the IBU:

/s/ Jay Ubelhart

For WSF:

/s/ David J. Slown, AAG