

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
JAMES GARNER,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 12-05

DECISION NO. 425 - MEC

ORDER CLOSING  
SETTLED GRIEVANCE

*Jay Ubelhart*, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and James Garner.

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 9, 2004, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of James Garner. IBU alleged that WSF dispatched James Garner as an AB on overtime to the Kaleetan on June 26, 2004, but denied him AB overtime pay in violation of CBA Rules 11.01, 21.01 and all other applicable rules.

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. 12-05. Chairman John Swanson was assigned to act as Mediator at a settlement conference scheduled for October

18, 2004. Commissioner John Sullivan was designated to act as Arbitrator at the hearing scheduled for February 16, 2005.

The parties reached an agreement (based upon checking the dispatch tape) during the October 18 settlement conference and the IBU 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 James Garner and docketed as MEC Case No. 12-05, is closed as settled.

DATED this 1st day of November 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/JOHN BYRNE, Commissioner