

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

JONATHAN PEARSON,

Complainant,

v.

INTERNATIONAL ORGANIZATION
OF MASTERS, MATES & PILOTS,

Respondent.

MEC CASE NO. 12-10

DECISION NO. 591 - MEC

ORDER CLOSING
WITHDRAWN COMPLAINT

Jonathan Pearson, appearing for himself.

Garretson, Gallagher, Fenrich & Makler, by *Rhonda Fenrich*, Attorney, appearing for the International Organization of Masters, Mates & Pilots.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on February 16, 2010 when Jonathan Pearson filed an unfair labor practice complaint, MEC Case 12-10, against the International Organization of Masters, Mates and Pilots (MM&P). (At the same time, Mr. Pearson filed a second complaint against Washington State Ferries, Case 11-10.) Complaint 12-10 charged MM&P with engaging in unfair labor practices within the meaning of RCW 47.64.130(2) by restraining or coercing Mr. Pearson in the exercise of rights guaranteed by chapter 47.64 RCW; causing or attempting to cause the employer to discriminate against Mr. Pearson in violation of RCW 47.64.130(1)(c); and by refusing to bargain collectively with the employer.

Specifically, Mr. Pearson alleged that MM&P failed to fairly represent him in grieving his termination (May 2009) from Washington State Ferries.

Following review of Mr. Pearson's 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 for the May 12, 2010 settlement conference. Commissioner Patricia Warren was designated to act as Hearing Examiner and a hearing scheduled for June 1, 2010. The parties participated in settlement discussions on May 12 without resolving the matter, but agreed to exchange further information.

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On May 21, 2010, MM&P Counsel requested that the June 1 hearing be postponed and another settlement conference scheduled to include WSF. The MEC cancelled the hearing and scheduled a joint settlement conference for Cases 12-10 and 11-10 on September 28, 2010, which included all three parties.

During the September 28 settlement conference, Mr. Pearson agreed to withdraw his complaint against MM&P. By letter on October 5, 2010, he formally withdrew Case 12-10.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by Jonathan Pearson against MM&P and docketed as MEC Case 12-10, is closed in acknowledgment of Mr. Pearson's withdrawal.

DATED this 22nd day of October 2010.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner