

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL  
EMPLOYEES INTERNATIONAL  
UNION, LOCAL 8,

Complainant,

v.

WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION, FERRIES  
DIVISION,

Respondent.

MEC CASE NO. 13-09

DECISION NO. 571 - MEC

ORDER CLOSING  
SETTLED COMPLAINT

*Shannon Halme*, Union Representative, appearing for Office and Professional Employees International Union, Local 8 (OPEIU).

Robert McKenna, Attorney General, by *Don Anderson*, Assistant Attorney General, appearing for Washington State Department of Transportation, Ferries Division (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on May 13, 2009, when Shannon Halme, representative for Office and Professional Employees International Union, Local 8, filed an unfair labor practice complaint, MEC Case No.13-09, against the Washington State Ferries.

OPEIU's complaint 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; dominating or interfering with the formation or administration of an employee organization; and encouraging or discouraging membership in an employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment.

Specifically, OPEIU alleged that WSF repudiated the OPEIU/WSF bargaining agreement under the guise of reorganization, by failing to properly notice the Union of a reorganization (Article 6.2 of the agreement) and by assigning OPEIU bargaining unit work—IT Accounts Payable—to non-bargaining unit personnel in the Olympia Department of Transportation office.

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Following review of OPEIU's complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. The MEC began efforts to schedule the complaint. Chairman John Swanson was assigned to serve as Mediator; Commissioner Patricia Warren was designated to act as Hearing Examiner.

On July 10, 2009, Shannon Halme, OPEIU, requested that the MEC hold off scheduling this matter. On July 24, Ms. Halme wrote to Leah Maurseth, WSF Labor Relations, inquiring about the status of the case.

By letter on October 1, 2009 Shannon Halme, OPEIU, notified the MEC that this matter has been settled. OPEIU withdrew its complaint.

### **ORDER**

It is hereby ordered that the unfair labor practice complaint, filed by OPEIU against WSF and docketed as MEC Case No. 13-09, is closed in acknowledgment of the parties' agreement.

DATED this 29th day of October 2009.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner