

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
PAMELA MCINNES,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 14-02

DECISION NO. 306 - MEC

ORDER OF DISMISSAL

Schwerin, Campbell and Barnard, Attorneys, by *Dmitri Iglitzin*, appearing for and on behalf of the Inlandboatmen's Union of the Pacific and Pamela McInnes.

Christine Gregoire, Attorney General, by *David Slown*, Assistant Attorney General, appearing for and on behalf of Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 27, 2001, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Pamela McInnes. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) violated the following sections of the IBU/WSF Collective Bargaining Agreement:

- Rule 16-Disputes/deemed to be granted
- Appendix B, #5.01-Harassment

IBU certified that the grievance procedures in the pertinent IBU/WSF Collective Bargaining Agreement had 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. 14-02.

Commissioner John Byrne was designated to act as Arbitrator. Commissioner John Sullivan was assigned as Mediator. Following the development of a serious health issue for Commissioner Sullivan, Commissioner Byrne was substituted to act as Mediator.

During a January 23, 2002 IBU/WSF settlement conference for three other related grievances, IBU and WSF agreed to hold the remaining “deemed to be granted” grievances in abeyance pending settlement efforts. (Included MEC Case Nos. 14-02, 19-02, 20-02, 21-02, 22-02 and 23-02.) The parties agreed to participate in mediation on the facts of the above six grievances beginning February 4, 2002. At that time, IBU and WSF reached agreement in Case 14-02.

Commissioner Byrne forwarded the parties’ signed settlement agreement (which includes withdrawal of the grievance) to the MEC office. That 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 Pamela McInnes and docketed as MEC Case No. 14-02, be dismissed.

DATED this 12th day of February 2002.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

**SETTLEMENT AGREEMENT**  
**MEC Case No. 14-02**

1. The letter of November 11 was not intended nor was it to be construed as discipline. It is hereby withdrawn to prevent misunderstanding.
2. It is understood that issues are to be addressed through the grievance procedure and not through self-help.
3. The values in the variance policy (\$20-\$99.99) remain unchanged.
4. The IBU will propose specific cash-handling language and/or policies in collective bargaining to ensure the integrity of the employees and the integrity of the system.
5. Arbitration request 14-02 is withdrawn.

/s/ Michael Manning  
WSF  
Dated 2/4/02

/s/ Dennis Conklin  
IBU  
2/4/02