

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

GEORGE B. GREENWOOD, et al)	
)	
Complainants,)	MEC CASE NO. 14-92
)	
v.)	DECISION NO. 98
)	
DISTRICT NO. 1 PACIFIC)	
COAST DISTRICT, MARINE)	ORDER OF DISMISSAL
ENGINEERS BENEFICIAL)	
ASSOCIATION,)	
)	
Respondent.)	
)	

George B. Greenwood, pro se, appearing for and on behalf of himself.

Davis, Roberts and Reid, attorneys, by Ken Pedersen, appearing for and on behalf of District No. 1 Pacific Coast District, MEBA.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 12, 1992 when George B. Greenwood, filed a complaint against District No. 1 Pacific Coast District, Marine Engineers Beneficial Association (PCD/MEBA), alleging that PCD/MEBA was engaging in unfair labor practices within the meaning of RCW 47.64.130 and WAC 316-45-003 by (a) restraining or coercing employees in the exercise of rights guaranteed by chapters 47.64 RCW and 310-45 WAC, and (b) causing or attempting to cause Washington State Ferries (WSF) to discriminate against employees of WSF in violation of WAC 316-45-003(1)(c).

Specifically, Complainant Greenwood alleged that a PCD/MEBA Branch Agent was "requiring all applicants to P.C.D. M.E.B.A. to sign a voluntary relinquishment form . . . [which] in effect would force an employee to relinquish his job with [WSF] if for any reason P.C.D. M.E.B.A. decides that they do not want this individual to become a member of P.C.D.M.E.B.A." unilaterally changing the terms

of his employment. He further alleged that said Branch Agent was unfairly requiring current WSF employees to pay \$1,500.00 initiation fees even though they were WSF employees even before PCD/MEBA existed, and that he threatened members of MEBA/NMU with loss of their jobs if they did not join PCD/MEBA.

MEC determined that the alleged facts, if later found to be true and provable, may constitute unfair labor practices. The matter was docketed as MEC Case No. 14-92 and assigned to Commissioner Louis O. Stewart to act as hearing examiner pursuant to WAC 316-45-130.

Examiner Stewart scheduled a hearing on the matter for April 29, 1993 and notified PCD/MEBA that it may file an answer on or before April 16, 1993. The hearing date was subsequently amended to May 4, 1993.

On April 2, 1993 Greenwood amended his complaint by clarifying the remedies he sought.

On April 16, 1993 PCD/MEBA filed its answer essentially denying Greenwood's allegations of violations of chapter 47.64 RCW, and asked that the charges be dismissed.

The day before the scheduled May 4, 1993 hearing, counsel for PCD/MEBA asked by telephone for a continuance on the grounds that the principal named in the complaint would not be available. Examiner Stewart did grant a continuance until May 14, 1993.

The hearing was convened as rescheduled. Examiner Stewart granted the parties time to attempt to reach settlement without further hearing, which they did.

The settlement included agreement to a rewritten version of the contested "relinquishment form." That revised form required approval of National MEBA.

On June 28, 1993 Greenwood asserted that the form had been approved and that the 38 MEBA/NMU members may continue to pay their dues into MEBA/NMU, and that he has elected to forego the remainder of his requested remedies. The matter has been resolved to his satisfaction.

Therefore, MEC should accept the withdrawal pursuant to WAC 316-45-090 and dismiss the matter. MEC is acutely aware that decisions in several other past and current cases have also been awaiting settlement of an intra-union court case. Dismissal of the instant matter should not be considered precedential in any other case.

ORDER

The complaint of unfair labor practices filed by George B. Greenwood against Pacific Coast District No. 1, Marine Engineers Beneficial Association is hereby dismissed.

DONE this 13th day of July 1993.

MARINE EMPLOYES' COMMISSION

/s/DAN E. BOYD, Chairman

/s/DONALD E. KOKJER, Commissioner

/s/LOUIS O. STEWART, Commissioner

