

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION OF THE
PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 15-01

DECISION NO. 288 – MEC

ORDER DISMISSING
ADJUSTED COMPLAINT

Dennis Conklin, Business Agent, appearing for and on behalf of the Inlandboatmen's Union of the Pacific.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on May 17, 2001, when Dennis Conklin, Inlandboatmen's Union of the Pacific (IBU), filed an unfair labor practice complaint against the Washington State Ferries (WSF).

IBU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by dominating or interfering with the formation or administration of the employee organization, and refusing to bargain collectively with representatives of employees. Specifically, IBU charged WSF with unilaterally changing a working condition, refusing to bargain with the IBU about the condition, and interfering with IBU members' rights and the Union's ability to represent its members.

The matter was docketed as MEC Case No. 15-01 and forwarded to the Commissioners for initial review. The Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. A settlement conference was scheduled for August 20 and a hearing for September 25, 2001.

During the settlement conference, with Commissioner John Sullivan as Mediator, the parties reached an agreement. Commissioner Sullivan forwarded the parties' signed settlement

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agreement to the MEC office (received on August 22, 2001). That agreement constitutes a request for withdrawal of the complaint. It is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case No. 15-01, be dismissed.

DATED this 23rd day of August 2001.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

SETTLEMENT AGREEMENT

Between

WASHINGTON STATE FERRIES

And

THE INLANDBOATMEN'S UNION OF THE PACIFIC

MEC Case No. 15-01

IN FULL AND COMPLETE SETTLEMENT of MEC Case No. 15-01, the parties, Washington State Ferries (WSF) and the Inlandboatmen's Union of the Pacific, do hereby agree as follows:

WSF Agrees:

1. That no IBU-represented employee will be required to take home, or study during off-duty hours, the Safety Management System self-directed study guide. Employees will be given time to complete the self-directed study guide during working hours.
2. That, while, employees are expected to become familiar with the Safety Management System, there will be no grades assigned to or associated with employee's completion of the evaluation portion of the Safety Management System self-directed study guide. No employee shall be disciplined for giving incorrect answers to any question on the evaluation, but employees may be required to demonstrate familiarity with the subject matter of the Safety Management System.

The IBU Agrees:

To withdraw MEC case 15-01. A signed copy of this agreement shall constitute a request for withdrawal.

For the IBU: /s/ Dennis Conklin 8/20/01

For WSF: /s/ Michael Manning 8/20/01