

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

TEAMSTERS UNION LOCAL 117	)	MEC Case No. 16-96
	)	
	)	DECISION NO. 171 - MEC
Grievant,	)	
	)	
v.	)	ORDER OF DISMISSAL
	)	
WASHINGTON STATE FERRIES,	)	
	)	
Respondent.	)	
	)	

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Spencer Thal, staff attorney, appearing for and on behalf of International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local 117.

Christine Gregoire, Attorney General, by Gretchen Gale, Assistant Attorney General, appearing for and on behalf of the Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on November 6, 1996 when Teamsters Local 117 (Teamsters) filed an unfair labor practice against Washington State Ferries (WSF).

The Teamsters' complaint charged WSF with interfering with, restraining or coercing employees in exercise of rights and refusing to bargain collectively with the union.

Specifically, Teamsters alleged that WSF had failed and refused to comply with MEC Decision and Order No. 148 in MEC Case No. 20-95 by failing to bargain to restore to Teamsters Local 117 storekeeper

work that Local 117 bargaining unit employees performed prior the creation of the Materials coordinator position. Teamsters Local 117 additionally charged WSF with refusing to bargain with the Union before transferring bargaining unit work outside the bargaining unit.

The complaint was docketed as MEC Case No. 16-96. A letter acknowledging receipt of the ULP complaint was sent to the parties. Copies of the complaint were distributed for review and processing by the MEC. Pursuant to WAC 316-45-110, the MEC determined that the facts alleged may constitute unfair labor practices, if later found to be true and provable. Commissioner John P. Sullivan was assigned to act as hearing examiner.

A prehearing conference was scheduled and convened pursuant to WAC 316-02-210 for February 25, 1997. A hearing was scheduled for April 3, 1997 pursuant to RCW 47.64.130 and 47.64.280 and chapters 316-02 and 316-45 WAC. Examiner Sullivan entered a Prehearing Order on March 12, 1997, directing the parties to submit proposed witness and exhibit lists to MEC and to the opposing party on or before March 25, 1997. An Answer was timely filed by WSF on March 18, 1997. On March 25, 1997, the MEC received a letter from Assistant Attorney General Geoffrey Boodell in which he indicated that the parties had reached an oral settlement agreement in the matter and that they were in the process of obtaining signatures on a written agreement. The parties requested that the matter set for April 3, 1997 be stricken. MEC confirmed this information with Teamsters attorney Spencer Thal. Mr. Thal indicated that when the agreement was finalized, the Union would withdraw the complaint.

On May 27, 1997, the MEC received a signed original of the Settlement Agreement in MEC Case No. 16-96 from Assistant Attorney General Stewart Johnston. Mr. Johnston indicated that pursuant to the terms of that agreement, within two days after WSF completed

its obligation under paragraph 1, the Union would withdraw the complaint.

On June 17, 1997, MEC received a letter from Spencer Thal in which he withdrew the charges contained in MEC Case No. 16-96.

#### ORDER

It is hereby ordered that the unfair labor practice complaint, filed by Teamsters Local 117 against WSF and docketed as MEC Case No. 16-96, is dismissed.

DATED this 23<sup>rd</sup> day of June, 1997.

MARINE EMPLOYEES' COMMISSION

/s/HENRY L. CHILES, JR., Chairman

/s/JOHN P. SULLIVAN, Commissioner

/s/DAVID E. WILLIAMS, Commissioner