

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE
ENGINEERS' BENEFICIAL
ASSOCIATION,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 17-04

DECISION NO. 390 - MEC

ORDER CLOSING SETTLED
COMPLAINT

Davies, Roberts and Reid, by *Michael McCarthy*, Attorney, appearing for District No. 1, Marine Engineers' Beneficial Association.

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

THIS MATTER came on regularly before the Marine Employees' Commission on September 17, 2003, when Mario Micomonaco, District No. 1, Marine Engineers' Beneficial Association (MEBA), filed an unfair labor practice complaint against Washington State Ferries (WSF). The complaint was docketed as MEC Case 17-04.

In its complaint, MEBA charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by refusing to bargain collectively with representatives of employees. Specifically, MEBA alleged that WSF failed to respond to dates proposed by the Union for the 2003-2005 contract negotiations.

Pursuant to WAC 316-45-110, following initial review of the complaint, the MEC determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable.

Commissioner John Byrne was assigned to serve as Mediator at the settlement conference scheduled for November 12, 2003. Chairman John Swanson was designated to act as Hearing Examiner for the hearing scheduled on December 18, 2003.

During the November 12 settlement conference, with Commissioner Byrne's assistance, the parties reached agreement. Commissioner Byrne forwarded the parties' signed settlement agreement (which includes MEBA's withdrawal of the complaint) to the MEC office. That agreement (received November 13) 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 District No. 1 MEBA against WSF and docketed as MEC Case No. 17-04, is closed in acknowledgment of the parties' settlement.

DATED this 30th day of November 2003.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

Settlement Agreement

MEC Case #17-04

The parties hereby agree to pick at least four mutually acceptable dates for bargaining between 1/11 and 2/10/2004. Selection will be made by November 17, 2003. The MEBA hereby withdraws this charge.

/s/ Mario Micomonaco
MEBA
11/12/03

/s/ David J. Slown
WSF
11/12/03