

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION OF)	MEC Case No. 19-00
THE PACIFIC,)	
)	
Complainant,)	DECISION NO. 249 – MEC
)	
v.)	
)	ORDER DISMISSING
WASHINGTON STATE FERRIES,)	ADJUSTED COMPLAINT
)	
Respondent.)	
_____)	

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 July 24, 2000, when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint against 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 interfering with, restraining or coercing employees in the exercise of rights and refusing to bargain collectively with representatives of employees.

Specifically, IBU alleged that WSF refused to pay employees overtime, as specified in Rule 11.02 of the contract, when they work more than 16 hours in a 24-hour period. (On September 9, 1996, Arbitrator Dustin McCreary sustained IBU grievances on this issue, ordering WSF to pay back overtime to affected employees.)

On July 31, 2000, IBU amended its complaint to include the specific alleged violations, which were omitted from the original filing. The original complaint and the amendment were

forwarded to MEC Commissioners for initial review. The Commission reviewed the complaint, as amended, and determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable.

Commissioner David E. Williams was assigned to act as Hearing Examiner. A settlement conference was scheduled for October 30, 2000 and the hearing for November 7, 2000.

Commissioner John P. Sullivan assisted the parties' settlement efforts on November 7; however, no agreement was reached at that time.

By facsimile on October 31, 2000, Dennis Conklin, IBU, formally withdrew the complaint.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case No. 19-00, be dismissed.

DATED this _____ day of November 2000.

MARINE EMPLOYEES' COMMISSION

JOHN D. NELSON, Chairman

JOHN P. SULLIVAN, Commissioner

DAVID E. WILLIAMS, Commissioner