

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

In re the Petition of
INLANDBOATMEN'S UNION OF
THE PACIFIC for Clarification of the
Terminal Agents and Deck/Terminal
Department Bargaining Units.

MEC CASE NO. 19-04

DECISION NO. 399 – MEC

ORDER OF DISMISSAL

Schwerin, Campbell and Barnard by attorney, *Robert Lavitt*, 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 September 25, 2003, when Dmitri Iglitzin, counsel for the Inlandboatmen's Union of the Pacific (IBU), filed a Petition for Clarification of the Terminal Agent and Deck/Terminal Bargaining Units at Washington State Ferries. The matter was docketed as MEC Case No. 19-04.

On October 2, 2003, the Ferry Agents, Supervisors and Project Administrators Association (FASPAA) filed a Petition for Investigation of a Question Concerning Representation of Terminal Agents.

Pursuant to WAC 316-35-110, the Commission ordered the two petitions consolidated for the purpose of conducting proceedings and scheduled a conference for November 7, 2003, to define issues and establish stipulations. Commissioner John Byrne was designated as Hearing Officer. The IBU later requested the conference date be continued and the MEC rescheduled for November 17, 2003.

Following the November 17 conference, the MEC scheduled a consolidated hearing in the petitions for January 26, 2004.

On December 23, 2003, FASPAA filed a Motion for Summary Judgment asking that the petition in MEC Case 19-04 be summarily denied and that an election be directed in the unit of supervisors and project managers. On December 30, 2003, Hearing Officer Byrne denied the FASPAA's motion.

During extensive prehearing discussion on January 26, 2004, the parties reached certain understandings and at that point the IBU withdrew its petition, Case 19-04.

ORDER

It is hereby ordered that the petition for unit clarification, filed by the Inlandboatmen's Union of the Pacific and docketed as MEC Case 19-04, be dismissed.

DATED this ____ day of February 2004.

MARINE EMPLOYEES' COMMISSION

JOHN SWANSON, Chairman

JOHN SULLIVAN, Commissioner

JOHN BYRNE, Commissioner