

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE  
ENGINEERS' BENEFICIAL  
ASSOCIATION,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 2-08

DECISION NO. 527 - MEC

ORDER CLOSING  
WITHDRAWN COMPLAINT

*Karol Kingery*, Branch Agent, appearing for District No. 1, Marine Engineers' Beneficial Association.

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission on July 10, 2007, when District No. 1, Marine Engineers' Beneficial Association (MEBA) filed an unfair labor practice complaint, MEC Case 2-08, against Washington State Ferries (WSF).

On July 12, 2007, the Commission notified MEBA its statement of facts was insufficient and asked the union to amend its filing. MEBA filed an amended complaint on July 20. The amended 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; encouraging or discouraging membership in employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment; and refusing to bargain collectively with representatives of employees. Specifically, MEBA's complaint asserted that on or before May 30, 2007, WSF Captain Studach ordered Ricky Hughes to shave facial hair below

his lip. MEBA maintains that Mr. Hughes has worn the facial hair for years and been annually fit tested for a respirator to WSF's satisfaction, until this incident.

On August 8, WSF submitted information to the MEC in opposition to the Commission accepting MEBA's case as an unfair labor practice. On August 23, MEBA Representative Jeff Duncan withdrew the complaint "without prejudice."

### **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. 2-08, is closed in acknowledgment of MEBA's withdrawal.

DATED this 29th day of August 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner