

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL
EMPLOYEES INTERNATIONAL
UNION, LOCAL 8 on behalf of
MARK VOILLAND,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 21-06

DECISION NO. 496 - MEC

ORDER OF MEDIATION
RESULTS AND CLOSING
SETTLED GRIEVANCE

Shannon Halme, Union Representative, appearing for Office and Professional Employees International Union, Local 8.

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 (MEC) on March 16, 2006, when the Office and Professional Employees International Union, Local 8 (OPEIU) filed a request for grievance mediation concerning WSF's alleged violation of Articles 11.19(b), 6.1(d) and 24.2 of the collective bargaining agreement in filling the vacant Maintenance Inventory Agent position. OPEIU asserted that WSF did not hire the most qualified and senior employee for the position.

The request for grievance mediation was docketed as MEC Case No. 21-06. Commissioner Elizabeth Ford was initially assigned to act as Mediator at a settlement conference scheduled for June 19, 2006. Due to unexpected schedule conflicts or unavailability of persons necessary to resolving the matter, the settlement conference was continued to August 3, then

August 10 and finally October 27. Commissioner John Swanson was substituted to serve as Mediator for the October 27 conference when Commissioner Ford became ill.

The parties reached agreement during the October 27, 2006 settlement conference. Chairman Swanson forwarded the parties' signed settlement agreement to the MEC office (received on November 2). That agreement constitutes OPEIU's request for withdrawal of the grievance. The signed agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the request for grievance mediation, filed by the Office and Professional Employees International Union, Local 8, and docketed as MEC Case No. 21-06, is closed in acknowledgment of the parties' settlement.

DATED this 28th day of November 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT
MEC CASE NO. 21-06

In full and complete settlement of the Mark Voilland grievance, OPEIU 06-05, WSF and OPEIU hereby agree as follows:

1. WSF agrees to pay to Mark Voilland, as wages, the sum of \$1,668.48, subject to normal payroll withholding allowances.
2. OPEIU agrees to the withdrawal of MEC Case No. 21-06.
3. The parties mutually agree with the appointment of Kari Pierce to the position of Maintenance Department Inventory Agent.
4. By signing this agreement, neither WSF nor OPEIU admit to any wrongdoing with respect to the facts and circumstances underlying this case.

Dated 10/31/06

/s/ Shannon Halme, OPEIU

/s/ Paul H. Brodeur, WSF Director of Maintenance