

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL
EMPLOYEES INTERNATIONAL
UNION, LOCAL 8 on behalf of
DEBORAH JACOBBER,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 21-07

DECISION NO. 523 - 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 April 18, 2007, when the Office and Professional Employees International Union, Local 8 (OPEIU) filed a request for grievance mediation, docketed as MEC Case 21-07. OPEIU member, Deborah Jacobber, receive a written warning on February 12, 2007 for attendance-related issues. The union alleges that WSF violated Ms. Jacobber's Weingarten Rights and disciplined her without cause.

Chairman John Swanson was initially assigned to act as Mediator at a settlement conference scheduled for July 17, 2007. Commissioner John Sullivan was substituted as Mediator when a schedule conflict unexpectedly arose for Chairman Swanson.

The OPEIU and WSF reached agreement during the July 17, 2007 settlement conference. Commissioner Sullivan forwarded the parties' signed settlement agreement to the MEC office

(received on July 20). That agreement constitutes OPEIU's request for withdrawal of MEC Case 21-07. 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. 21-07, is closed in acknowledgment of the parties' settlement agreement.

DATED this 2nd day of August 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT
MEC Case No. 21-07

The parties, OPEIU and WSF, hereby agree as follows:

1. Deborah Jacober shall be returned to her regular full-time position as WSF receptionist, no later than the first week of August, 2007.
2. The parties recognize the unique requirement of the receptionist position such that dependability is a major factor that contributes to the employee's performance and has a significant influence on future decisions relating to job placement.
3. If Deborah Jacober has no pending disciplinary action, the letter of reprimand dated February 9, 2007, shall be permanently removed from her record on September 15, 2007.
4. MEC Case No. 21-07 is hereby withdrawn.

For WSF: /s/ David J. Slown 7/17/07

For OPEIU: /s/ Shannon Halme 7/17/07

 /s/ Deborah Jacober 7/17/07
 Grievant