

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
DOROTHY BAUGHMAN,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 22-02

DECISION NO. 309 - MEC

ORDER OF DISMISSAL

Schwerin, Campbell and Barnard, Attorneys, by *Dmitri Iglitzin*, appearing for and on behalf of the Inlandboatmen's Union of the Pacific and Dorothy Baughman.

Christine Gregoire, Attorney General, by *David Slown*, Assistant Attorney General, appearing for and on behalf of Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 28, 2001, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Dorothy Baughman. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) violated the IBU/WSF Collective Bargaining Agreement as follows:

- By-pass—payment due
- Rule 16.05-Disputes/deemed to be granted

IBU certified that the grievance procedures in the pertinent IBU/WSF Collective Bargaining Agreement had been utilized and exhausted. In addition, the union certified that the arbitrator's decision shall not change or amend the terms, conditions or application of said collective bargaining agreement and that the arbitrator's award shall be final and binding.

The request for grievance arbitration was docketed as MEC Case No. 22-02.

Commissioner John Sullivan was assigned to act as Mediator. Commissioner John Byrne was designated as Arbitrator. Following the development of a serious health issue for Commissioner Sullivan, Commissioner Byrne was substituted as Mediator and Chairman John Nelson as Arbitrator.

During a January 23, 2002 IBU/WSF settlement conference for three other related grievances, IBU and WSF agreed to hold the remaining “deemed to be granted” grievances in abeyance pending settlement efforts. (Included MEC Case Nos. 14-02, 19-02, 20-02, 21-02, 22-02 and 23-02.) The parties agreed to participate in mediation on the facts of the above six grievances beginning February 4, 2002. At that time, Dennis Conklin, IBU, withdrew Case 22-02. (MEC received IBU’s signed withdrawal on February 7, 2002.)

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen’s Union of the Pacific on behalf of Dorothy Baughman and docketed as MEC Case No. 22-02, be dismissed.

DATED this ____ day of February 2002.

MARINE EMPLOYEES' COMMISSION

JOHN NELSON, Chairman

JOHN SULLIVAN, Commissioner

JOHN BYRNE, Commissioner