

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
JOHN CONRAD,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 24-06

DECISION NO. 486 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

Margaret Pelland, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and John Conrad.

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 13, 2006 when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration, docketed as MEC Case No. 24-06. The IBU's grievance alleged that Washington State Ferries (WSF) terminated John Conrad without just cause on January 6, 2006. The IBU asserted that it immediately began negotiations with WSF over the termination and that WSF committed to giving IBU an answer regarding Mr. Conrad's reinstatement by early March. No answer had been received by IBU at the time of this filing.

Commissioner John Sullivan was assigned to act as Mediator for the settlement conference scheduled on May 26, 2006. Commissioner Elizabeth Ford was designated to act as Arbitrator and a hearing scheduled for June 29, 2006.

The parties were unable to reach agreement during the May 26 settlement conference. They appeared as scheduled on the June 29 hearing date, but wanted to discuss settlement further. The IBU and WSF successfully resolved this matter on June 29, without the need for a hearing. WSF provided the MEC with a copy of the signed settlement/withdrawal and Exhibit A on that date. That agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the IBU and docketed as MEC Case No. 24-06, is closed in acknowledgement of the parties' settlement agreement.

DATED this 19th day of July 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

Settlement Agreement
IBU v. WSF (John "Butch" Conrad)
MEC Case No. 24-06

Washington State Ferries (WSF) and the Inlandboatmen's Union of the Pacific (IBU) in full settlement of MEC Case No. 24-06, do hereby agree as follows:

1. John B. Conrad is hereby reinstated to his position as an Able-Bodied Seaman with WSF. He shall be in status as an on-call AB for the summer schedule 2006, and shall return to the B Watch on the Seattle-Bainbridge Island route. The IBU agrees that this assignment shall not result in any grievance by any IBU member.
2. The letter of termination dated January 13, 2006, shall be rescinded and replaced with a letter reflecting a suspension without pay from January 13, 2006 to June 29, 2006.
3. WSF and IBU representatives agree to sign a joint statement, a copy of which is attached hereto as Exhibit A.
4. MEC Case No. 24-06 is hereby withdrawn. A signed copy of this Agreement shall constitute a request for withdrawal, and may be presented by either party.
5. WSF will not appeal the decision of the Employment Securities Department sustaining Mr. Conrad's claim for unemployment insurance benefits.
6. Mr. Conrad shall be allowed to take vacation from 2-6 August 2006, inclusive. If he does not have sufficient annual leave, he will be allowed to take leave without pay.

For the Washington State Ferries

For the Inlandboatmen's Union

/s/ David J. Slown
Assistant Attorney General, WSBA #24943
Date: 6/29/06

/s/ Alan Côté
National President, IBU
Date: 6/29/06

Exhibit A
MEC Settlement 24-06

Quick Notice

As a result of a recent investigation, it has come to the attention of WSF management that some WSF employees have been offered, and have accepted, free newspapers from vendors. WSF management does not condone this practice, nor will WSF management tolerate employees taking newspapers, or any other property, without the permission of the owner. Theft is theft, and is a ground for immediate termination of employment.

The WSF management and the IBU wish to jointly remind all employees that the state of Washington expects the highest standards of ethical behavior from all of its employees. Accepting anything of value, even a newspaper, which is offered due to your status as a state employee, may constitute a violation of state ethics laws and subject you to civil and criminal penalties, as well as putting your job at risk.

For the Washington State Ferries

/s/ David J. Slown
Assistant Attorney General, WSBA #24943
Date: 6/29/06

For the Inlandboatmen's Union

/s/ Alan Côté
National President, IBU
Date: 6/29/06