

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE & PROFESSIONAL EMPLOYEES)	
INTERNATIONAL UNION, LOCAL 8,)	MEC Case No. 25-00
)	
Complainant,)	DECISION NO. 252 – MEC
v.)	
)	ORDER DISMISSING
WASHINGTON STATE FERRIES,)	ADJUSTED COMPLAINT
Respondent.)	
_____)	

Ron Weigelt, Union Representative, appearing for and on behalf of Office and Professional Employees International Union, Local 8.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on August 7, 2000, when Ron Weigelt, Office and Professional Employees International Union, Local 8 (OPEIU), filed an unfair labor practice complaint against the Washington State Ferries (WSF). OPEIU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by 1) interfering with, restraining or coercing employees in the exercise of rights; 2) dominating or interfering with formation or administration of employee organization; 3) encouraging or discouraging membership in employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment; and 4) refusing to bargain collectively with representatives of employees.

Specifically, OPEIU charged WSF with assigning members of other unions to perform OPEIU work, thereby creating a pattern of double standard and discrimination toward OPEIU. OPEIU alleged that WSF's behavior of implementing such unilateral changes put the union at an unfair advantage and interfered with administration of the unit.

The complaint was forwarded to MEC Commissioners for initial review. The Commission reviewed the complaint and determined that the facts alleged may constitute unfair labor practices, if later found to be true and provable. Commissioner David E. Williams was assigned to act as hearing examiner.

A settlement conference was scheduled for November 17, 2000 and the hearing for December 5, 2000.

At the settlement conference on November 17, with Commissioner John Sullivan's assistance, the parties reached a mutually agreeable settlement of this matter. At the close of the conference, Ron Weigelt, OPEIU, withdrew MEC Case No. 25-00. Commissioner Sullivan forwarded the parties' signed settlement agreement and OPEIU's withdrawal of the complaint to the MEC office. The agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the unfair labor practice complaint filed by OPEIU against WSF and docketed as MEC Case No. 25-00, be dismissed.

DATED this 5th day of December 2000.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN D. NELSON, Chairman

/s/ JOHN P. SULLIVAN, Commissioner

/s/ DAVID E. WILLIAMS, Commissioner

SETTLEMENT AGREEMENT, MEC CASE 25-00
November 17, 2000

IN FULL AND COMPLETE SETTLEMENT of MEC Case 25-00, and in good faith efforts to improve and preserve communications between management and the union in the area of union work jurisdiction,

IT IS HEREBY AGREED, by and between the parties, Office and Professional Employees International Union (OPEIU) and Washington State Ferries (WSF) as follows:

1. WSF will notify OPEIU Local I in writing at least 2 weeks before the placement of a "Project Manager" in an OPEIU area of work. Notification will include a brief summary of the work to be done, and an estimate concerning the duration of the "project".
2. OPEIU has the right to follow up with a letter asking for a project status and a new estimated completion date. WSF will respond with a brief written explanation within 45 days.

/s/ Ronald Weigelt
For OPEIU Local 8

/s/ Michael Manning
For Washington State Ferries