

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE
ENGINEERS' BENEFICIAL
ASSOCIATION on behalf of
JIM HATTRICK,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

DISTRICT NO. 1, MARINE
ENGINEERS' BENEFICIAL
ASSOCIATION,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 25-06

MEC CASE NO. 26-06

DECISION NO. 488 - MEC

ORDER CLOSING SETTLED
GRIEVANCE AND COMPLAINT

Reid, Pedersen, McCarthy & Ballew, by *Michael McCarthy*, Attorney, appearing for District No. 1, Marine Engineers' Beneficial Association and Jim Hattrick.

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

THESE MATTERS came on regularly before the Marine Employees' Commission as follows:

MEBA Request for Grievance Arbitration (25-06)

On May 4, 2006, MEBA filed a request for grievance arbitration, which was docketed as MEC Case No. 25-06. MEBA alleged that WSF failed to pay Jim Hattrick overtime and mileage incurred on November 14, 2005 when he had his hearing tested as ordered by the WSF.

November 14 happened to be his day off, but MEBA asserts that it was the only date out of four possible that Mr. Hattrick could attend. MEBA maintained that Mr. Hattrick was due 8 hours overtime and mileage under the licensed collective bargaining agreement.

MEBA Unfair Labor Practice Complaint (26-06)

On May 4, 2006, District No. 1, Marine Engineers Beneficial Association (MEBA) also filed an unfair labor practice complaint, MEC Case No. 26-06, against Washington State Ferries. In its complaint, MEBA charged WSF with refusing to bargain collectively with representatives of employees concerning the issue contained in the Hattrick grievance. Pursuant to WAC 316-45-110, following initial review of the charge, the MEC deferred action on this complaint until resolution of the companion grievance, Case 25-05.

PROCEDURAL BACKGROUND

MEC Case 25-06 was scheduled for a settlement conference on September 27, 2006 with Commissioner John Sullivan assigned to act as Mediator. Chairman John Swanson was designated as Arbitrator for the hearing scheduled on November 14, 2006.

By letter on July 24, 2006, MEBA Representative Jeff Duncan notified the MEC that the parties settled the grievance and requested withdrawal of both the grievance and the unfair labor practice complaint.

ORDER

It is hereby ordered that the request for grievance arbitration (Case 25-06) and the unfair labor practice complaint (Case 26-06), filed by District No. 1 MEBA, are closed in acknowledgment of the parties' settlement.

DATED this 28th day of September 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner