

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION	)	MEC Case No. 26-97
OF THE PACIFIC,	)	
	)	DECISION NO. 186 - MEC
Complainant,	)	
	)	
v.	)	ORDER OF DISMISSAL
	)	
WASHINGTON STATE FERRIES,	)	
	)	
Respondent.	)	
_____	)	

THIS MATTER came before the Marine Employees' Commission (MEC) on August 21, 1997 when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice against the Washington State Ferries (WSF).

IBU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by interfering with, restraining or coercing employees in the exercise of rights; and refusing to bargain collectively with the representative of employees.

On May 7 and 8, 1996 an arbitration hearing was held between the IBU and WSF on the issue of whether WSF improperly failed to pay its employees overtime when it scheduled them to work more than sixteen hours in a twenty-seven hour period. On September 9, 1996 Arbitrator Dustin McCreary sustained IBU's grievances, ordering WSF to pay back overtime to the affected IBU employees. IBU alleged that the parties agreed the overtime would be paid by the end of February 1997. At the time IBU filed its complaint with the MEC, WSF had not paid the back overtime.

Upon review, the MEC determined that the facts alleged, if later found to be true and provable, may constitute an unfair labor practice. Commissioner David E. Williams was appointed to act as hearing examiner, pursuant to WAC 316-45-130. A hearing was scheduled for December 9, 1997.

On November 24, 1997 pursuant to a settlement with WSF, IBU counsel, Christopher Hull, withdrew the unfair labor practice charge contained in MEC Case No. 26-97.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case No. 26-97, is dismissed.

DATED this 9<sup>th</sup> day of December 1997.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, JR., Chairman

/s/ JOHN P. SULLIVAN, Commissioner

/s/ DAVID E. WILLIAMS, Commissioner