

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
CRAIG SABATINI,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 29-05

DECISION NO. 480 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

Margaret Pelland, Business Agent, appearing for the Inlandboatmen's Union of the Pacific (IBU) and Craig Sabatini.

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 22, 2004 when the Inlandboatmen's Union of the Pacific filed a request for grievance arbitration. In its grievance arbitration request, IBU alleged that WSF suspended Craig Sabatini for 40 hours without just cause.

Chairman John Swanson was assigned to act as Mediator. The parties participated in settlement conferences on February 18 and August 4, 2005, but were unable to reach an agreement. Commissioner Elizabeth Ford was designated to act as Arbitrator and a hearing scheduled for September 9, 2005.

On September 7, 2005 IBU requested a postponement of the hearing. A key union witness was not available due to medical reasons. The MEC rescheduled the hearing for March

15, 2006. On March 6, IBU Regional Director Dennis Conklin notified the MEC that the parties had settled the matter; the agreement would be finalized when AAG Slown returned from leave.

On May 5, 2006 the IBU provided the MEC with a copy of the parties' signed settlement agreement. 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. 29-05, is closed in acknowledgement of the parties' settlement agreement.

DATED this 24th day of May 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT

MEC Case No. 29-05 (Sabatini Grievance)

IN FULL AND COMPLETE SETTLEMENT of MEC Case No. 29-05, the parties, The Inlandboatmen's Union of the Pacific (IBU) on behalf of Craig Sabatini, and Washington State Ferries (WSF) do agrees as follows:

WASHINGTON STATE FERRIES AGREES:

1. To pay to Craig Sabatini, eight (8) hours of pay at the straight-time rate and to reduce his suspension to four eight-hour days;
2. That this case shall be used by WSF for progressive discipline purposes only in future cases in which insubordination is alleged. Evidence of the discipline in this case shall not be admissible in any future discipline case against Craig Sabatini except for cases in which insubordination is charged and found.

THE INLANDBOATMEN'S UNION OF THE PACIFIC AGREES:

1. To accept the modification of discipline as set forth above;
2. To withdraw MEC Case No. 29-05. A signed copy of this agreement shall constitute a request for withdrawal, and may be presented by either party.
- 3.

Dated this ____ day of March, 2006.

For the IBU:

/s/ Margaret Pelland 5/5/06

For WSF:

/s/ Steven V. Rogers 3/21/06