

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
MICHAEL ILSEY,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 3-03

DECISION NO. 337 - MEC

ORDER DISMISSING  
ADJUSTED GRIEVANCE

Schwerin, Campbell and Barnard, Attorneys, by *Dmitri Iglitzin*, appearing for and on behalf of the Inlandboatmen's Union of the Pacific and Michael Ilsey.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on July 10, 2002, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Michael Ilsey. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) gave Mr. Ilsey less than six hours off between shifts and then denied him overtime pay, in violation of the contract—Rules 1.17, 11.01 and others.

IBU certified that the grievance procedures in the pertinent IBU/WSF Collective Bargaining Agreement had been utilized and exhausted. In addition, the union certified that the arbitrator's decision shall not change or amend the terms, conditions or application of said collective bargaining agreement and that the arbitrator's award shall be final and binding.

The request for grievance arbitration was docketed as MEC Case No. 3-03. Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled for September 24, 2002. Commissioner John Sullivan was designated to act as Arbitrator at the hearing on November 1, 2002.

During the settlement conference on September 24, with Commissioner Byrne's assistance, the parties reached agreement. Commissioner Byrne forwarded the parties' signed settlement agreement (which includes IBU's withdrawal of the request for arbitration) to the MEC office. 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 Inlandboatmen's Union of the Pacific on behalf of Michael Ilsey and docketed as MEC Case No. 3-03, be dismissed.

DATED this 27th day of September 2002.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

**Settlement Agreement**  
**MEC 3-03**

1. The break period begins when the crewmember's duties are over. The duties are over at the end of the scheduled shift or at the time designated by the Master, whichever is later.
2. If the Master or other authorized person requires work after the break period begins, it is a call back.
3. Case 3-03 is hereby withdrawn.

/s/ Dennis Conklin     9/24/02  
IBU

Tim C. Saffle  
WSF