

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION)	MEC Case No. 3-95
OF THE PACIFIC,)	
)	DECISION NO. 141 - MEC
Complainant,)	
)	
v.)	ORDER OF DISMISSAL
)	
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	
)	

THIS MATTER came before the Marine Employees' Commission on April 20, 1995 when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint 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 by refusing to bargain collectively with IBU.

Specifically, IBU alleged that WSF engaged in a pattern of activities intended to frustrate the collective bargaining process and intended to eliminate the employees' right to bargain collectively in good faith, as well as to discourage and restrain employees from exercising their statutory rights.

The matter was docketed as MEC Case No. 3-95. The Commission subsequently determined, pursuant to WAC 315-45-110, that the facts alleged may constitute unfair labor practices if later found to be true and provable. The Commission directed IBU to make its

complaint more definite and certain by June 16, 1995. MEC received IBU's Statement to Make Complaint More Definite and Certain on May 22, 1995. A prehearing/settlement conference was scheduled for June 30, 1995 and a hearing for July 31 and August 1, 1995. Commissioner David E. Williams was appointed to act as hearing examiner.

The prehearing/settlement conference was convened by Chairman Henry L. Chiles, Jr. on June 30, 1995, at which time the parties agreed to meet again on July 11, 1995 in an attempt to resolve the matter prior to hearing.

By facsimile on July 26, 1995, WSF counsel, Robert McIntosh, requested a continuance of the answer due date and the July 31 and August 1, 1995 hearing dates, representing that the parties were close to reaching a settlement. IBU counsel, John Burns, concurred with the request. IBU indicated that on or after August 15, 1995, it would either request a withdrawal of the complaint or notify the MEC that the parties were ready to proceed with rescheduling prehearing, answer and hearing dates.

By letter on September 6, 1995 Dennis Conklin, IBU, notified MEC that the parties had reached an agreement; the union requested its complaint be withdrawn.

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ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case No. 3-95 is dismissed.

DATED this 14th day of September 1995.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, JR. Chairman

/s/ JOHN P. SULLIVAN, Commissioner

/s/ DAVID E. WILLIAMS, Commissioner