

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INTERNATIONAL ORGANIZATION
OF MASTERS, MATES and PILOTS,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 34-03

DECISION NO. 364 - MEC

ORDER DISMISSING
ADJUSTED COMPLAINT

Wolfstone, Panchot, and Bloch, by *Steve Ross*, Attorney, appearing for the International Organization of Masters, Mates and Pilots.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on February 11, 2003, when Steve Ross, counsel for the Masters, Mates & Pilots (MM&P), filed an unfair labor practice complaint against the Washington State Ferries (WSF). The matter was docketed as MEC Case No. 34-03..

MM&P'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 representatives of employees. Specifically, MM&P alleged that WSF unilaterally changed the Fauntleroy-Vashon work schedule, without consulting with the MM&P scheduling committee, in violation of WSF's collective bargaining agreement with the Union.

Following review of the complaint, the Commission determined that the facts alleged may constitute unfair labor practices, if later found to be true and provable. Chairman John

Nelson was designated to act as Hearing Examiner. A settlement conference was scheduled for March 26, 2003 and a hearing for May 19, 2003.

During the settlement conference on March 26, with Commissioner Sullivan's assistance, the parties reached agreement. Commissioner Sullivan forwarded the parties' signed settlement agreement (which includes MM&P's withdrawal of the complaint) to the MEC office. That agreement (received March 28, 2003) is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by MM&P against WSF and docketed as MEC Case No .34-03, be dismissed.

DATED this 4th day of April 2003.

MARINE EMPLOYEES' COMMISSION

/s/ John Nelson, Chairman

/s/ John Sullivan, Commissioner

Unsigned John Byrne, Commissioner

**SETTLEMENT AGREEMENT
BETWEEN
WASHINGTON STATE FERRIES
AND
INTERNATIONAL ORGANIZATION OF MASTERS MATES AND PILOTS**

MEC Case No. 34-03

IN FULL AND COMPLETE SETTLEMENT of MEC Case No. 34-03, the parties, International Organization of Masters Mates and Pilots, (IOMMP) and Washington State Ferries (WSF) do hereby agree as follows:

1. Prior to the start of each meeting held pursuant to Rule 8.02 of the parties' Collective Bargaining Agreement, the Management Committee will prepare and present to the Union Committee an agenda. The agenda shall list each route upon which changes to the printed running schedules are planned or contemplated;
2. During the meeting, pursuant to Rule 8.02, the parties will discuss each item on the agenda and shall initial each item when discussed. If appropriate, brief notes summarizing the discussions may be made on the agenda;
3. At the end of the meeting, a copy of the agenda, with all initials and notes entered during the meeting, will be provided to each of the committee members;
4. A fully executed copy of this Settlement Agreement shall constitute a request for withdrawal of MEC Case No. 34-03.

Dated this 26th day of March, 2003.

/s/ Michael Manning
For WSF

/s/ Steven N. Ross
For IOMMP – Atty for MM&P

AMENDED SETTLEMENT AGREEMENT
BETWEEN
WASHINGTON STATE FERRIES
AND
INTERNATIONAL ORGANIZATION OF MASTERS MATES AND PILOTS

MEC Case No. 34-03

IN FULL AND COMPLETE SETTLEMENT of MEC Case No. 34-03, the parties, International Organization of Masters Mates and Pilots, (IOMMP) and Washington State Ferries (WSF) do hereby agree as follows:

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3. At the end of the meeting, a copy of the agenda, with all initials and notes entered during the meeting, will be provided to each of the committee members;
4. A fully executed copy of this Settlement Agreement shall constitute a request for withdrawal of MEC Case No. 34-03.

Dated this ~~26th~~ 11th day of ~~March~~ April, 2003.

/s/ Michael Manning
For WSF

/s/ Steven N. Ross
For IOMMP – Atty for MM&P

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