

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
AARON BARNETT,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 4-04

DECISION NO. 377 - MEC

ORDER DISMISSING
ADJUSTED GRIEVANCE

Dennis Conklin, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and Aaron Barnett.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on July 21, 2003, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Aaron Barnett. IBU alleged that WSF denied Aaron Barnett overtime after he was awakened from sleep to return to work.

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. 4-04.

Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled

for September 10, 2003. Commissioner John Sullivan was designated to act as Arbitrator at the hearing scheduled for November 7, 2003.

The parties reached agreement during the September 10 settlement conference. Commissioner Byrne forwarded the parties' signed settlement agreement to the MEC office (received September 12). The agreement constitutes IBU's request for withdrawal of the grievance. The signed 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 Aaron Barnett and docketed as MEC Case No. 4-04, be dismissed.

DATED this 19th day of September 2003.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

**Settlement Agreement
MEC Case No. 4-04**

The Barnett grievance is hereby settled on the basis that WSF will promptly pay Aaron Barnett 13 hours of straight time AB pay at the applicable rate in place August 28, 2002. The grievance is withdrawn as settled.

/s/ David J. Slown
WSF

/s/ [illegible]
IBU

Dated: 8/10/03

Dated: 8/10/93