

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL
EMPLOYEES INTERNATIONAL
UNION, LOCAL 8,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 4-05

DECISION NO. 431 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Shannon Halme, Union Representative, appearing for Office and Professional Employees International Union, Local 8.

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 9, 2004, when Shannon Halme, Union Representative for Office and Professional Employees International Union, Local 8, filed an unfair labor practice complaint against the Washington State Ferries. The matter was docketed as MEC Case No. 4-05.

OPEIU'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; dominating or interfering with formation or administration of employee organization; encouraging or discouraging membership in employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment.

Specifically, OPEIU alleged that WSF failed to provide information the union requested related to WSF's investigation leading to Glynis Wilson's termination.

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.

Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled for July 29, 2004; however on July 27, WSF requested the conference be continued due to the unavailability of an individual necessary to settlement of the issue. The July 29 conference was cancelled and continued to August 9.

Due to Ms. Halme becoming ill, the August 9, 2004 conference was not held. The parties agreed to try to discuss Case 4-05 during a settlement conference scheduled on August 18 (for Case 61-04) if time allowed. Commissioner John Sullivan was assigned as Mediator for that conference.

OPEIU and WSF discussed settlement of Case 4-05 on August 18; they requested an additional settlement conference be scheduled to continue efforts. Another conference, scheduled for September 24, was held.

On September 23, OPEIU had received information requested from WSF, which they needed more time to review. At the union's request, a third settlement conference was scheduled for December 8. That conference was rescheduled to November 16, 2004, due to a conflict with an interest arbitration date for WSF. The parties met with Commissioner Sullivan on November 16, at which time OPEIU agreed to withdraw the complaint.

By letter on December 3, 2004, the OPEIU withdrew its complaint with prejudice and without precedent.

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ORDER

It is hereby ordered that the unfair labor practice complaint, filed by the Office and Professional Employees International Union, Local 8, and docketed as MEC Case 4-05, is closed as settled.

DATED this 10th day of December 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner