

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 4-06

DECISION NO. 464 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Jay Ubelhart, Business Agent, appearing for the Inlandboatmen's Union of the Pacific.

Rob McKenna, 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 September 2, 2005 when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint against the Washington State Ferries (WSF). The matter was docketed as MEC Case No. 4-06.

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; encouraging or discouraging membership in an employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment; and refusing to bargain collectively with representatives of employees. Specifically, IBU alleged that WSF unilaterally changed the way permanent positions in the terminal department are bid and filled according to the collective bargaining agreement.

Following review of IBU's complaint, the MEC determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. The IBU and WSF

participated in a settlement conference on October 11, 2005 with Chairman John Swanson serving as mediator. They made progress and intended to continue settlement efforts after close of the mediation. A December 6, 2005 hearing was scheduled with Commissioner John Sullivan designated as examiner.

On November 28, 2005 MEC received a letter from IBU Counsel Robert Lavitt, informing the Commission that the parties had fully settled the matter.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case 4-06, is closed in acknowledgement of the parties' settlement.

DATED this 6th day of December 2005.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner