

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 40-02

DECISION NO. 339 - MEC

ORDER DISMISSING
ADJUSTED GRIEVANCE

Schwerin, Campbell and Barnard, Attorneys, by *Dmitri Iglitzin*, appearing for and on behalf of the Inlandboatmen's Union of the Pacific.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on April 29, 2002, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) denied "D" Watch penalty pay following a sewage leak, in violation of Rule 30-03 of the collective bargaining agreement.

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. 40-02. Commissioner John Sullivan was assigned to act as Mediator at a settlement conference scheduled for June 10, 2002. Commissioner John Byrne was designated to act as Arbitrator at the hearing on September 26, 2002.

The parties were unable to reach an agreement during the June 10 settlement conference; however, on September 24, 2002, the parties advised Commissioner Byrne that the issue has been resolved. (The September 26 hearing date was cancelled.) On October 7, 2002, IBU filed a request to withdraw the grievance.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific and docketed as MEC Case No. 40-02, be dismissed.

DATED this ____ day of October 2002.

MARINE EMPLOYEES' COMMISSION

JOHN NELSON, Chairman

JOHN SULLIVAN, Commissioner

JOHN BYRNE, Commissioner