

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
JOHN CONRAD,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 43-04

DECISION NO. 422 - MEC

ORDER CLOSING GRIEVANCE

Dennis Conklin, Regional Director, appearing for the Inlandboatmen's Union of the Pacific and John Conrad.

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 February 26, 2004 when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration. In its grievance arbitration request, IBU alleged that Washington State Ferries (WSF) failed to reinstate accumulated sick leave to a previously separated employee, John Conrad, in violation 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. 43-04. Commissioner John Byrne was assigned to act as Mediator at the settlement conference

scheduled for May 13, 2004. Chairman John Swanson was designated to act as Arbitrator for the hearing scheduled on July 19, 2004.

The May 13 settlement conference was not held, but continued to May 17, 2004. Due to the unavailability of Operations personnel necessary to settlement discussions, the May 17 conference was cancelled. The parties agreed, if time allowed, to add this case to a list of three others scheduled for settlement conference on May 20, 2004. Settlement attempts on May 20 were unsuccessful and the case remained scheduled for hearing.

On July 9, 2004 the IBU withdrew its request for grievance arbitration and the MEC cancelled the hearing.

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. 43-04, be closed in acknowledgement of the IBU's withdrawal.

DATED this 16th day of July 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner