

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE ENGINEERS'  
BENEFICIAL ASSOCIATION on behalf of  
VIC TIMMERMAN,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 43-05

DECISION NO. 474 - MEC

ORDER CLOSING  
SETTLED GRIEVANCE

Reid, Pedersen, McCarthy and Ballew, by *Thomas Leahy*, Attorney, appearing for District No. 1, Marine Engineers' Beneficial Association (MEBA) and Vic Timmerman.

Robert McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on April 28, 2005 when the District No. 1, MEBA filed a request for grievance arbitration on behalf of Vic Timmerman. MEBA's grievance arbitration request, docketed as MEC Case No. 43-05, alleged that WSF denied Vic Timmerman reimbursement for tuition and time to attend the Ship's Management Course at the Calhoun MEBA School in violation of Section 29(a) of the Licensed CBA.

Chairman John Swanson was assigned to act as Mediator; a settlement conference was scheduled for August 30, 2005. Commissioner Elizabeth Ford was designated as Arbitrator and a hearing date set for October 14, 2005.

The parties made some progress during the August 30 settlement conference, but needed more time to work out a settlement. At the parties' request, the MEC cancelled the October 14

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hearing date. On December 15, 2005, MEBA requested that a hearing date be rescheduled in this matter. The MEC continued the hearing to May 26, 2006.

On March 27, 2006, the MEC received a copy of the parties' signed settlement agreement from MEBA Representative Jeff Duncan. That agreement, which constitutes MEBA's withdrawal of the grievance, 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 District No. 1 MEBA against WSF and docketed as MEC Case No. 43-05, is closed in acknowledgment of the parties' settlement agreement.

DATED this 31st day of March 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

## SETTLEMENT AGREEMENT

MEC Case No. 43-05 (Timmerman Grievance)

IN FULL AND COMPLETE SETTLEMENT of MEC Case No. 43-05, the parties, The Marine Engineers' Beneficial Association (MEBA), on behalf of grievant Vic Timmerman, and Washington State Ferries (WSF) do agree as follows:

### WASHINGTON STATE FERRIES AGREES:

1. To pay Vic Timmerman, Forty (40) hours in wages as a Chief Engineer.
2. This payment is based upon facts and circumstances unique to this case, and shall be deemed non-precedential by the parties.

The WSF and MEBA mutually agree:

1. That Section 29 of the parties' collective bargaining agreement has not been changed or amended in any way by this agreement. Nothing in this agreement shall be construed to limit the rights of any party to negotiate for changes to Section 29 during collective bargaining between the parties.

MEBA agrees:

1. To the withdrawal of MEC Case No. 43-05. Submission of an executed copy of this Agreement shall constitute a request for withdrawal, and may be made by either party.

WASHINGTON STATE FERRIES  
SYSTEM

/s/ Paul Brodeur      3/23/06

MARINE ENGINEERS BENEFICIAL  
ASSOCIATION

/s/ Jon Anderson      3/23/06