

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
YVONNE ROCENS,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 44-02

DECISION NO. 328 - 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 and Yvonne Rocens.

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 on behalf of Yvonne Rocens. In its grievance arbitration request, IBU asserted that WSF failed to dispatch the grievant for a day of work, in violation of Rules 1.13, 1.15, 1.16, 10, 12 and 21 of the IBU/WSF 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. 44-02.

Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled for July 15, 2002. Commissioner John Sullivan was designated to act as Arbitrator at the hearing on October 4, 2002.

During the settlement conference on July 15, with Commissioner Byrne's assistance, the parties reached agreement. Commissioner Byrne forwarded the parties' signed settlement agreement (which includes IBU's withdrawal of the request for arbitration) to the MEC office. That agreement 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 the Inlandboatmen's Union of the Pacific on behalf of Yvonne Rocens and docketed as MEC Case No. 44-02, be dismissed.

DATED this 29th day of July 2002.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

SETTLEMENT MEC 44-02

Having reviewed the facts in the Yvonne Rocens grievance (IBU# 02-3), WSF grants the grievance. Ms. Rocens is to be paid 10 hours straight time pay. (OS rate as of 12/2001).

The Request for Arbitration is withdrawn.

David J. Slown
WSF

7/15/02

John Byrne by phone authority
of Dennis Conklin
IBU