

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 44-05

DECISION NO. 528 - MEC

ORDER CLOSING  
SETTLED COMPLAINT

*Margaret Pelland*, 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 May 9, 2005, when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint, MEC Case No. 44-05, against the Washington State Ferries (WSF).

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 altered terms and conditions of employment and interfered with administration of the collective bargaining agreement when it violated MEC Decision No. 253 and implemented a new pre-disciplinary procedure of sending discipline letters to employees without first holding a fact-finding meeting.

Following review of the IBU's complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. A settlement conference was set for June 27, 2005 with Chairman John Swanson assigned to serve as Mediator.

The parties participated in the June 27 conference, during which, the IBU indicated it needed more information. The settlement conference was continued to August 4 to allow time for the IBU to receive and review the requested information. The WSF and IBU reached a tentative agreement on that date.

On August 28, 2007, John Dryer, LRO, reported that he recently confirmed by letter to the IBU that WSF had removed the disciplinary letters from employee files as agreed, fully resolving this matter. By letter on September 14, Margaret Pelland, IBU Business Agent, withdrew the complaint.

### **ORDER**

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case 44-05, is closed in acknowledgement of the parties' settlement.

DATED this 26th day of October 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner