

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

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

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 45-04
(Wage Claim Issue)

DECISION NO. 453 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

Jay Ubelhart, Business Agent, appearing for the Inlandboatmen's Union of the Pacific.

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 on behalf of John Ross. In its grievance arbitration request, IBU alleged that Washington State Ferries (WSF) failed to bid jobs pursuant to the IBU/WSF collective bargaining agreement.

The request for grievance arbitration was docketed as MEC Case No. 45-04. Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled for May 13, 2004. Commissioner John Sullivan was designated to act as Arbitrator for the hearing scheduled on June 8, 2004.

When it was discovered that WSF personnel needed to settle this case were unavailable on May 13, the settlement conference was continued to May 20, 2004. On that date, the parties reached an agreement on the "schedule issue" portion of this grievance. The Commission

closed that portion of the case when it entered Order Closing Settled Grievance, Decision No. 413-MEC on June 9, 2004.

At the IBU's request the MEC continued the June 8 hearing date for the remaining "wage claim issue" to allow time for the union to receive and evaluate information. The hearing date was rescheduled for October 1, 2004 and later continued to March 4, 2005. The MEC cancelled the March 4 hearing due to a budget shortfall.

During MEC's public meeting on June 24, 2005, Jay Ubelhart reported the parties reached a settlement on the "wage claim" portion of the grievance. On July 14, 2005, MEC received the parties' signed settlement agreement, which includes IBU's withdrawal of the remaining portion of the grievance (Ross wage claim). A copy of the agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the "wage claim issue" portion of the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific and docketed as MEC Case No. 45-04, be closed in acknowledgement of the parties' settlement agreement.

DATED this 29th day of July 2005.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT BETWEEN
WASHINGTON STATE FERRIES
AND
INLANDBOATMEN'S UNION OF THE PACIFIC

In full and complete settlement of MEC Case #45-04 (Ross wage claim portion), WSF agrees to pay John Ross the sum of \$117.50. This will settle all claims for compensation in the case.

A signed copy of this agreement will serve as a withdrawal of MEC case #45-04.

/s/ David J. Slown
For WSF

7/14/05

/s/ Jay Ubelhart
For the IBU

7/8/05