

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
DECK EMPLOYEES,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 47-02

DECISION NO. 323 - 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 Deck Employees.

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 May 14, 2002, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Washington State Ferries' (WSF) deck employees. In its grievance arbitration request, IBU asserted that WSF's red-lining of pay orders was in violation of Rules 1.04, 1.20, 1.21, 1.25, 2.01, 2.23, 10, 11, 19, 20, 21, 23, 25, 26, 30 and Appendix A.

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. 47-02. Commissioner John Sullivan was assigned to act as Mediator at a settlement conference scheduled for June 10, 2002. Commissioner John Byrne was initially designated to act as Arbitrator. Chairman John Nelson was later substituted as Arbitrator to conduct the hearing scheduled for July 2, 2002.

During the settlement conference on June 10, with Commissioner Sullivan's assistance, the parties reached agreement. Commissioner Sullivan forwarded the parties' signed settlement agreement to the MEC office (received June 11). Included in the agreement is IBU's withdrawal of the grievance, effective July 10, 2002. (By letter dated July 31, 2002, Dennis Conklin, IBU, confirmed that the matter has been fully resolved.) The settlement 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 WSF Deck Employees and docketed as MEC Case No. 47-02, be dismissed.

DATED this 21st day of August 2002.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN NELSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner

SETTLEMENT AGREEMENT
MEC Case No. 47-02

In settlement of MEC Case No. 47-02, WSF agrees to mail, with the copy of the red-lined time sheet which is mailed to employees prior to pay-day, a form which will tell the employee who in management to contact regarding questions or disputes regarding the red-line alterations. The form will also tell the employees that if any dispute is not resolved to the employee's satisfaction, the employee may contact his or her union representative for assistance. The form will also tell the employee that the red-lined or altered time sheet indicates the reason for the change.

IBU agrees to withdraw MEC Case No. 47-02, effective July 10, 2002.

Dated 6/10/02

/s/ Michael Manning
WSF

/s/ Dennis Conklin
IBU