

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE  
ENGINEERS BENEFICIAL  
ASSOCIATION on behalf of RODGER  
SHELDON,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 49-00

DECISION NO. 279 - MEC

ORDER OF DISMISSAL

*Mario Micomonaco*, Union Representative, appearing for and on behalf of District No. 1, Marine Engineers Beneficial Association and Rodger Sheldon.

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 December 20, 2000, when District No. 1, Marine Engineers Beneficial Association (MEBA) filed a request for grievance arbitration on behalf of Rodger Sheldon. In its grievance arbitration request, MEBA alleged that Washington State Ferries (WSF) denied Rodger Sheldon four hours comp time and fourteen hours straight time for work on the #2 POFF boat from June 26 to July 4, 2000, in violation of the collective bargaining agreement.

MEBA certified that the grievance procedures in the pertinent MEBA/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. 49-00. Commissioner John P. Sullivan was designated to act as Arbitrator. Later, the matter was reassigned to Chairman John D. Nelson and the hearing scheduled for April 6, 2001.

By facsimile on March 23, 2001, MEBA requested a continuance of the hearing. During MEC's monthly meeting earlier that day, Union Representative, Mario Micomonaco, informed the MEC that the parties were involved in settlement discussions. If settlement efforts proved unsuccessful, Mr. Micomonaco advised he would contact the MEC to propose a date for rescheduling the hearing.

By letter of June 21, 2001, Union Representative Mario Micomonaco withdrew the grievance indicating the issue will be addressed within the context of contract negotiations.

#### ORDER

It is hereby ordered that the request for grievance arbitration, filed by District No. 1, MEBA on behalf of Rodger Sheldon and docketed as MEC Case No. 49-00, be dismissed.

DATED this \_\_\_\_ day of July 2001.

MARINE EMPLOYEES' COMMISSION

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JOHN D. NELSON, Chairman

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JOHN P. SULLIVAN, Commissioner