

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
DAN CONKLIN,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 5-02

DECISION NO. 297 - MEC

ORDER OF DISMISSAL

Dennis Conklin, Business Agent, appearing for and on behalf of the Inlandboatmen's Union of the Pacific and Dan Conklin

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 October 1, 2001, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Dan Conklin. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) failed to compensate Dan Conklin for guaranteed holiday pay.

IBU certified that the grievance procedures in the pertinent IBU/WSF collective bargaining agreement were 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 MEC docketed the request for grievance arbitration as MEC Case No. 5-02, scheduled a settlement conference for December 19, 2001, and a hearing for January 4, 2002. Commissioner John Sullivan was designated to act as Arbitrator.

On December 19, Commissioner John Byrne, acting as Mediator, conducted the settlement conference. The conference concluded with IBU withdrawing the grievance "on the

basis that the pay records show correct payment to the grievant of the guaranteed holiday pay at issue.” Commissioner Byrne forwarded IBU’s written withdrawal to the MEC office (received on December 20, 2001.)

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen’s Union of the Pacific on behalf of Dan Conklin and docketed as MEC Case No. 5-02, be dismissed.

DATED this ____ day of _____ .

MARINE EMPLOYEES' COMMISSION

JOHN NELSON, Chairman

JOHN SULLIVAN, Commissioner

JOHN BYRNE, Commissioner