

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
PETER HART,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 5-07

DECISION NO. 502 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

Margaret Pelland, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and Peter Hart.

Rob McKenna, 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 October 17, 2006 when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration, docketed as MEC Case No. 5-07. The IBU's grievance alleged that Washington State Ferries (WSF) unjustly suspended Peter Hart for alleged personal interactions with Captain Studach and alleged Code of Conduct violations on June 28, 2006.

Commissioner John Sullivan was assigned to act as Mediator for the settlement conference scheduled on January 9, 2007. Chairman John Swanson was designated to act as Arbitrator and a hearing scheduled for February 13, 2007.

During the January 9 settlement conference, the parties reached an agreement. On that date, the IBU faxed the MEC a copy of the signed settlement agreement, which constitutes withdrawal of the grievance. That agreement is appended to and becomes a part of this Order by reference.

ORDER CLOSING
SETTLED GRIEVANCE -1-

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the IBU and docketed as MEC Case No. 5-07, is closed in acknowledgement of the parties' settlement agreement.

DATED this 9th day of February 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT
MEC CASE NO. 5-07

The IBU and WSF, in full and complete settlement of Case 5-07, hereby agree:

1. Peter Hart's suspension for one day has been served, and neither party shall take any further action with respect to that one-day suspension.
2. With respect to the remaining four days' suspension which were held in abeyance, the period of abeyance shall be shorted to six months from the date of the incident, June 28, 2006, and has therefore expired. Those four days are no longer in abeyance.
3. MEC Case No. 5-07 is hereby withdrawn.

/s/ Margaret Pelland
IBU
1/9/07

/s/ David J. Slown
WSF
1/9/07