

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
TOM CAULKINS,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 50-03

DECISION NO. 406 - MEC

ORDER OF DISMISSAL

*Dennis Conklin*, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and Tom Caulkins.

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 23, 2003, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration on behalf of Tom Caulkins. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) denied Tom Caulkins penalty pay for removal of fluorescent bulbs, in violation of Rule 30.04 of the IBU/WSF Collective Bargaining Agreement.

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. 50-03. Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled

for July 17, 2003. Commissioner John Sullivan was designated to act as Arbitrator; the hearing was scheduled for October 3, 2003.

The parties participated in settlement discussions on July 17 and August 1, 2003; no agreement was reached. The IBU requested additional information from WSF. On September 29, 2003, IBU was granted an indefinite postponement of the (October 3) hearing, to allow additional time for the union to review pay records.

By facsimile on April 22, 2004, the IBU withdrew its request for grievance arbitration.

### **ORDER**

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific on behalf of Tom Caulkins and docketed as MEC Case No. 50-03, be dismissed.

DATED this 23rd day of April 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner