

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 53-04

DECISION NO. 411 - MEC

PROCEDURAL SETTLEMENT

Jay Ubelhart, Business Agent, appearing for the Inlandboatmen's Union of the Pacific.

Christine Gregoire, 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 March 11, 2004, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration. In its grievance arbitration request, IBU asserted that Washington State Ferries (WSF) failed to pay correct holiday pay when an employee has worked overtime on a holiday and it is a scheduled day off.

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. 53-04. Commissioner John Byrne was assigned to act as Mediator at a settlement conference scheduled for May 17, 2004.

On May 12, 2004, WSF requested that the May 17 settlement conference be postponed; operations personnel considered necessary to discussions were not available. Commissioner Byrne

granted the request. The parties agreed that, if time allowed, they would discuss this matter on May 20 following conferences scheduled in three other IBU cases.

Settlement discussions on May 20, 2004, resulted in the parties' attached procedural settlement, which includes IBU's withdrawal of Case 53-04 "without prejudice."

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen's Union of the Pacific and docketed as MEC Case No. 53-04, be closed in acknowledgement of the parties' procedural settlement.

DATED this 3rd day of June 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner