

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
CLAGGETT PRUITT,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

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INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
GREG SMITH et al.,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

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CONSOLIDATED CASES  
MEC CASE NO. 56-04

MEC CASE NO. 60-04

DECISION NO. 512 - MEC

ORDER CLOSING  
SETTLED GRIEVANCES

Schwerin, Campbell, Barnard and Iglitzin, by *Natalie Teague*, Attorney, appearing for the Inlandboatmen's Union of the Pacific.

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 March 26 and March 30, 2004, when the Inlandboatmen's Union of the Pacific (IBU) filed two requests for grievance arbitration, docketed as MEC Case No. 56-04 and 60-04, respectively. MEC Case 56-04 alleged that Washington State Ferries (WSF) failed to pay Claggett Pruitt travel time and mileage for the most direct and efficient routes to and from his assigned shifts. MEC Case 60-04

alleged that WSF refused to pay travel time and mileage to Greg Smith et al. when they were assigned to more than one route or terminal.

Initially, the Commission determined that the two cases should be consolidated for settlement purposes only. Chairman John Swanson was appointed to serve as Mediator for the settlement conference scheduled on July 30, 2004. On that date, the parties were unable to resolve the issue. Commissioner John Sullivan was designated to act as Arbitrator and a hearing scheduled for January 12, 2005. (The two cases were consolidated for the hearing as well.)

The January 12 hearing was cancelled due to the MEC's budget shortfall. It was continued to August 31, 2005. At the parties' request, the August hearing date was later cancelled to allow the IBU and WSF time to continue settlement efforts. In September 2005, the IBU requested that a hearing date be rescheduled. The MEC set January 19, 2006 for a hearing. The parties appeared on the scheduled hearing date, but asked for time alone to see if they might be able to resolve the issue; progress was made and the hearing was cancelled. Over the next several months, settlement discussions continued and both cases were ultimately resolved.

On April 17, 2007, the MEC received a copy of the parties' signed settlement agreement, which constitutes withdrawal of the grievances. That agreement, as well as e-mail correspondence detailing when settlement payment will occur, is appended to and becomes a part of this Order by reference.

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## **ORDER**

It is hereby ordered that the requests for grievance arbitration, filed by the IBU and docketed as MEC Cases 56-04 and 60-04, are closed in acknowledgement of the parties' settlement agreement.

DATED this 2nd day of May 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

**Settlement Agreement**  
**The Inlandboatmen's Union of the Pacific and**  
**The Washington State Ferries**

In order to provide uniformity concerning the payment of travel time and mileage to workers of the Inlandboatmen's Union of the Pacific and the International Organization of Masters, Mates and Pilots, and to resolve MEC Consolidated Cases 56-04 and 60-04 involving travel time and mileage grievances, the parties enter into this Settlement Agreement.

**AGREEMENT**

The parties agree as follows:

1. The IBU shall be entitled to the same travel and mileage pay as the MMP as set forth in the June 13, 2005 arbitration opinion and award of Alan R. Krebs resolving a travel compensation grievance between the WSF and MMP. Arbitrator Krebs' decision will be final and binding with respect to MEC Case 60-04.
2. The IBU shall be entitled to the same travel and mileage pay resulting from any future arbitration decisions involving the WSF and MMP, including any clarification or reconsideration of Arbitrator Krebs' June 13, 2005 opinion and award.
3. The WSF will not oppose any participation by the IBU in any further proceedings before Arbitrator Krebs to clarify or reconsider the above opinion and award, including resolution by Arbitrator Krebs of the facts contained in MEC Case 60-04.
4. Claggett Pruitt shall be compensated in the amount of 10 hours of travel pay and 250 miles of mileage pay in resolution of MEC Case 56-04. This compensation has no precedential value.
5. Greg Smith and other members of the Bremerton C Watch will be eligible for additional travel time of one-half hour and mileage of 26 miles for each day they had to travel to Bremerton. This represents additional travel through Southworth, the most reasonable mode of travel on the return to Seattle. This payment shall cover the period from January 2, 2004 onwards. Crew members should submit pay orders to receive this pay. The January 2, 2004 date corresponds to the WSF-IOMM&P settlement of the Dave Reno grievance on the same route, to ensure that members of both unions are treated the same for travel purposes. Payment to be made within 15 days of the date the pay order is submitted.
6. The IBU hereby withdraws MEC Cases 56-04 and 60-04.
7. This agreement shall expire on June 30, 2009.

For the Inlandboatmen's Union:  
/s/ Margaret Pelland  
Date: 4/5/07

For the Washington State Ferries:  
/s/ Kelly J Mitchell  
Date: 4/5/07