STATE OF WASHINGTON BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION OF THE PACIFIC on behalf of RUBEN RODRIGUEZ,

MEC CASE NO. 6-07

Grievant,

DECISION NO. 504 - MEC

v.

WASHINGTON STATE FERRIES,

ORDER CLOSING SETTLED GRIEVANCE

Respondent.

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 23, 2006 when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration, docketed as MEC Case No. 6-07. The IBU's grievance alleged that Washington State Ferries (WSF) denied Ruben Rodriguez compensation (along with the other negotiating team members) for a cancelled negotiation session.

Commissioner Elizabeth Ford was assigned to act as Mediator for the settlement conference scheduled on January 19, 2007. Initially, Commissioner John Sullivan was designated to act as Arbitrator and a hearing scheduled for February 20, 2007. When a schedule conflict later arose for Commissioner Sullivan, Chairman John Swanson was substituted as Arbitrator.

The IBU and WSF were unable to resolve the issue during the January 19, 2007 settlement conference; however, on February 16, IBU Counsel Natalie Teague notified the MEC ORDER CLOSING SETTLED GRIEVANCE -1-

that the parties had settled the matter. On March 13, 2007 the MEC received 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

It is hereby ordered that the request for grievance arbitration, filed by the IBU and docketed as MEC Case No. 6-07, is closed in acknowledgement of the parties' settlement agreement.

DATED this 23rd day of March 2007.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT MEC CASE NO. 6-07 (Rodriguez Grievance)

IN FULL AND COMPLETE SETTLEMENT of all issues arising out of MEC Case No. 6-07, the parties, The Inlandboatmen's Union of the Pacific, (IBU), Ruben Rodriguez, grievant, and Washington State Ferries (WSF) do hereby agree as follows:

WSF Agrees:

1. To pay to Ruben Rodriguez, the sum, One Hundred Seventy-one Dollars and Ninety-Two cents (171.92)

Ruben Rodriguez Agrees:

- 1. To accept the payment set forth above in full and complete settlement of all issues arising out of MEC Case No. 6-07.
- 2. That he shall be fully liable and responsible for payment of all taxes on the payment set forth in paragraph 1 above.
- 3. That this payment is made in settlement of disputed claims, and shall give rise to no overtime pay entitlement on behalf of Ruben Rodriguez for any time period.

The IBU Agrees:

- 1. To withdraw MEC Case No. 6-07. A copy of this Agreement shall constitute a request for withdrawal, and may be presented by any party.
- 2. That this agreement fully resolves all issues arising out of the facts underlying MEC Case No. 6-07, and that no other IBU-represented employee is entitled to any additional compensation for time spent in negotiations over the 2005-2007 biennial labor agreement.
- 3. That this agreement shall be non-precedent setting, and may not be used in evidence in any future proceeding of any nature by any party.

/s/ Ruben Rodriguez 3/6/07

/s/ Margaret Pelland 2/16/07

For the IBU

/s/ David J. Slown 2/28/07

For WSF WSBA 24943