

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
JORDAN NELSON,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 7-06

DECISION NO. 476 - MEC

ORDER CLOSING  
SETTLED GRIEVANCE

*Margaret Pelland*, Business Agent, appearing for the Inlandboatmen's Union of the Pacific (IBU).

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on September 14, 2005 when the Inlandboatmen's Union of the Pacific filed a request for grievance arbitration. In its grievance arbitration request, IBU alleged that during a grievance meeting on July 7, 2005, WSF agreed to pay Jordan Nelson four (4) hours of penalty pay, but has refused to make the payment without the grievant resubmitting his pay orders.

Commissioner John Sullivan was assigned to act as Mediator for the settlement conference scheduled on December 8, 2005. Commissioner Elizabeth Ford was designated to act as Arbitrator and a hearing scheduled for January 30, 2006.

The parties were unable to reach agreement during the December 8 settlement conference; however during MEC's January 27, 2006 public meeting, the IBU reported the matter settled. On April 13, 2006, the MEC received a copy of the parties' signed settlement

agreement, which includes the IBU's 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. 7-06, is closed in acknowledgement of the parties' settlement agreement.

DATED this 12th day of May 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

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### **SETTLEMENT AGREEMENT**

MEC Case No. 7-06

IN FULL AND COMPLETE SETTLEMENT of all issues arising out of MEC Case No. 7-06, the parties, the Inlandboatmen's Union of the Pacific (IBU), Jordan Nelson, grievant, and Washington State Ferries (WSF) do hereby agree as follows:

WSF Agrees:

1. To accept, for a period of sixty (60) days from the date of this agreement, a time sheet from Jordan Nelson for four hours of penalty pay, arising out of the settlement of grievance no. 05-22.
2. To pay said claim, provided it is submitted within the time period set forth above.
3. To mail a copy of this Agreement to Jordan Nelson by regular post to his last recorded payroll address.

The IBU Agrees:

ORDER CLOSING  
SETTLED GRIEVANCE -2-

1. That, if Jordan Nelson fails to timely submit a pay order as set forth in paragraph 1 above,  
WSF shall not be required to pay anything in resolution of grievance case no. 05-22.
2. To withdraw MEC Case No. 7-06. A copy of this Agreement shall constitute a request for  
withdrawal, and may be presented by either party.
3. To make reasonable efforts to advise Jordan Nelson of the contents of this Agreement.  
Telephonic notification shall be deemed reasonable.
- 4.

/s/ Margaret Pelland for the IBU 1/31/06

/s/ [illegible] for WSF 1/31/06