

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INTERNATIONAL ORGANIZATION OF)	
MASTERS, MATES & PILOTS,)	MEC Case No. 8-00
)	
Complainant,)	DECISION NO. 239 – MEC
)	
v.)	ORDER DISMISSING
)	ADJUSTED COMPLAINT
)	
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	

Steve Ross, attorney at law, appearing for and on behalf of the International Organization of Masters, Mates and Pilots.

Christine Gregoire, Attorney General, by David Slown, Assistant Attorney General, for and on behalf of Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on May 12, 2000, when the International Organization of Masters, Mates and Pilots (MM&P) filed an unfair labor practice complaint against the Washington State Ferries (WSF). MM&P's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by interfering with, restraining or coercing employees in the exercise of rights; and by refusing to bargain collectively with representatives of employees.

Specifically, MM&P charged WSF with unilaterally changing the printed work schedules for Summer 2000 without providing proposed changes to or consulting with the Union, pursuant to Rule 8.02 of the MM&P/WSF collective bargaining agreement. MM&P had previously filed an unfair labor practice complaint (MEC Case No. 1-99) over this same issue. In February 1999, the parties resolved that case with a written agreement to meet on a regular basis to discuss proposed scheduling changes.

Following review of the initial complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. A settlement conference was scheduled for June 13, 2000 and a hearing for July 25, 2000. On June 13, with Commissioner John Sullivan acting as Mediator, the parties reached a mutually agreeable settlement of MEC Case No. 8-00.

On June 21, 2000, the MEC received a copy of the parties' fully signed written agreement from MM&P counsel, Steve Ross which includes the statement, "The IOMM&P agrees to withdraw MEC case 8-00. A signed copy of this agreement shall constitute withdrawal." The signed agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the unfair labor practice complaint filed by MM&P against WSF and docketed as MEC Case No. 8-00, be dismissed.

DATED this 29th day of June 2000.

MARINE EMPLOYEES' COMMISSION

HENRY L. CHILES, JR., Chairman

JOHN P. SULLIVAN, Commissioner

DAVID E. WILLIAMS, Commissioner

Settlement of MEC Case 8-00

In full and complete settlement of MEC Case 8-00, it is hereby agreed, by and between the International Organization of Masters, Mates & Pilots (IOMM&P) and Washington State Ferries (WSF), as follows:

1. The parties mutually reaffirm the provisions of Rule 8.02 of their Collective Bargaining Agreement (CBA).
2. This agreement shall apply to the implementation of the Summer 2001 schedule. This agreement may be extended by mutual agreement of the parties in writing.
3. Management shall, prior to March 2001, determine a date by which the Summer 2001 running schedules must be sent to the printer in order to implement the summer schedule on the normal date. The date for sending to the printer shall be called the drop-dead date.
4. WSF shall schedule a meeting with the IOMM&P to discuss scheduling matters for Summer 2001 schedule not more than four weeks nor less than three weeks prior to the drop-dead date.
5. WSF shall schedule a second meeting with the IOMM&P not more than two weeks nor less than one week before the drop-dead date.
6. The parties mutually agree to discuss the implementation of the above procedures at presently-scheduled meetings in July 2000.
7. The IOMM&P agrees to withdraw MEC Case 8-00. A signed copy of this agreement shall constitute withdrawal.

/s/ Steven N. Ross 6/13/00
For the IOMM&P

/s/ Michael Manning 6/13/00
For WSF

/s/ Fred Engstrom 6/17/00
For the IOMM&P

/s/ David J. Slown 6/13/00
For WSF

