

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

ED CASPERS,)	CONSOLIDATED CASES
)	
)	MEC CASE NO. 8-98
GRIEVANT,)	MEC CASE NO. 9-98
)	MEC CASE NO. 10-98
v.)	
)	
WASHINGTON STATE FERRIES,)	DECISION NO. 205
)	
RESPONDENT.)	ORDER OF DISMISSAL
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Ed Caspers, a Washington State Ferries Employee, on behalf of himself.

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

This matter came on regularly before the Marine Employees' Commission on July 6, 1998, when Ed Caspers, filed three requests for grievance arbitration. The grievance arbitration requests were docketed as MEC Case No. 8-98, 9-98, and 10-98. Mr. Caspers certified that the grievance arbitration procedures in the MEBA/WSF collective bargaining agreements had been utilized and exhausted, noting that on March 26, 1998, he had met with WSF Acting Human Resources Director Gary Baldwin, Senior Port Engineer Ben Davis and Port Engineer John Christiansen, and MEBA Shop Steward Jim Herdeck to attempt to resolve these matters.

Mr. Caspers alleged that the applicable MEBA/WSF labor contracts had been violated as follows:

Case No. 8-98: On March 31, 1997, Caspers was instructed to appear at Pier 52 for a meeting and directed to request a relief from Dispatch. Caspers attended the meeting with Port Engineers and the Staff Chief Selection Committee. His pay for that period was subsequently denied and WSF deducted 12 hours' vacation pay from his leave balance, in violation of Sections 9, 13 and 18 of the MEBA/WSF Licensed Collective Bargaining Agreement.

Case No. 9-98: WSF denied Mr. Caspers two hours' pay for January 12, 1998 in violation of Sections 9 and 12 of the MEBA/WSF Licensed Collective Bargaining Agreement. Caspers was one hour late relieving the watch in Anacortes due to a snowstorm. Mr. Caspers alleged that he left his home port of Edmonds two and one-half hours before the watch was to begin, earlier than required by Schedule A of the contract.

Case No. 10-98: On March 28, 1997. Mr. Caspers paid the entire engine room crew (Gary Steel, Ricky Hughes, Bill Cases and himself) ¼ hour overtime as a result of the vessel being off schedule. WSF subsequently denied the pay in violation of Section 6 and 9 of the MEBA/WSF Licensed Collective Bargaining Agreement as well as Rule 11 and Appendix B of the Unlicensed Collective Bargaining Agreement.

Commissioner John Sullivan was appointed to act as arbitrator in these matters. The matters were consolidated for purposes of settlement conference and hearing.

MEC Director Janis Lien conduct a settlement conference on October 8, 1998, however, the parties failed to reach an agreement on that date. On November 12, 1998, the MEC received a copy of an econogram dated November 10, 1998, in which Mr. Caspers informed Senior Port Engineer Mark Nitchman that he was withdrawing MEC Cases No. 8-98, 9-98, and 10-98. A copy of the econogram from Mr. Caspers to Mr. Nitchman is attached hereto.

ORDER

Based upon the withdrawal of MEC Cases No. 8-98, 9-98, and 10-98 by Ed Caspers, it is hereby ordered that the consolidated grievances docketed herein, are dismissed.

DATED this 18th day of November 1998.

MARINE EMPLOYEES' COMMISSION

/s/ Henry L. Chiles, Jr., Chairman

/s/ John P. Sullivan, Commissioner

From Ed Caspers

ECON-O-GRAM

"To Provide Faster Service
at Lower Cost"

NOV 12 1998

To Mark Nitchman

Subject

MEC CASES
8-98 9-98 10-98

Message

WELCOME BOARD AS THE NEW SR. PORT ENGINEER. I HAE DECIDED TO DISMISS MY THREE CASES PENDING WITH THE M.E.C. I HAVE MADE THIS DECISION FOR TWO REASONS. THE FIRST BEING THE DEPARTURE OF YOUR PREDECESSOR. THE SECOND REASON IS AN ATTEMPT AT IMPROVING THE WORKING RELATIONS BEWTEEN MYSELF AND NEW PORT ENGINEERING STAFF. I LOOK FORWARD TO WORKING WITH YOU IN THE FUTURE.

C.C. MEBA
M.E.C.
PAUL GREEN
JOE NORTZ

Ed Caspers

11-10-98

Reply
