

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMISSION

INLANDBOATMEN'S UNION	)	MEC CASE No. 9-94
OF THE PACIFIC,	)	
	)	DECISION NO. 124 - MEC
Complainant,	)	
	)	
v.	)	ORDER OF DISMISSAL
	)	
WASHINGTON STATE FERRIES,	)	
	)	
Respondent.	)	
	)	

---

THIS MATTER came before the Marine Employees' Commission on July 5, 1994 when the Inlandboatmen's Union of the Pacific filed an unfair labor practice complaint against the Washington State Ferries.

IBU's complaint charged WSF with engaging in unfair labor practices by (1) interfering with, restraining or coercing employees in the exercise of rights pursuant to RCW 47.64.130(1)(a) and WAC 316-45-003(1)(a); and refusing to bargain collectively with representatives of employees, pursuant to RCW 47.64.130(1)(a)(e) and WAC 316-45-003(1)(a)(e).

Specifically, IBU alleged that WSF failed to process grievances in a timely manner in accordance with the parties' contract resulting in a large backlog of unresolved grievances. The union alleged that WSF's failure to respond to grievances undermines IBU's status as the employees' representative, and resulted in a unilateral change in the contractual grievance procedure. IBU further charged WSF with a failure to bargain in good faith.

These charges were filed as an amendment to MEC Case No. 3-94; however, on May 13, 1994 MEC had dismissed that matter without prejudice (Order of Dismissal No. 118-MEC). This matter was docketed as MEC Case No. 9-94. Pursuant to WAC 316-45-110, the Commission subsequently determined that the alleged facts as refilled may constitute an unfair labor practice, if later found to be true and provable. Commissioner Donald E. Kokjer was assigned to act as hearing examiner. A hearing was scheduled for September 15, 1994.

Upon Commissioner Kokjer's departure from the Commission, the case was reassigned to Commissioner John P. Sullivan to act as hearing examiner.

IBU amended its complaint on August 25, 1994, September 8, 1994 and September 13, 1994.

On September 14, 1994, Scott Klitzke, on behalf of IBU, notified MEC by phone that the parties had reached a settlement. Later, on the same date, Mr. Klitzke notified MEC by FAX that IBU was withdrawing its unfair labor practice complaint. The hearing was cancelled.

//

//

//

ORDER

It is hereby ordered that the unfair labor practice complaint filed by Inlandboatmen's Union of the Pacific against Washington State Ferries, and docketed as MEC Case No. 9-94, is dismissed.

DONE this 19<sup>th</sup> day of September 1994.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, JR. CHAIRMAN

/s/ JOHN P. SULLIVAN, Commissioner

/s/ LOUIS O. STEWART, Commissioner