



STATE OF WASHINGTON

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

CATHLEEN CALLAHAN, EXECUTIVE DIRECTOR

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**MARINE EMPLOYEES' COMMISSION**

Friday, September 30, 2011 – 10:00 a.m.  
Rainier Conference Room – Washington State Ferries  
Seattle, Washington

MINUTES

Present: Members and staff - Mark Brennan, Acting Chairperson  
John M. Cox, Commissioner  
Cathleen Callahan, Executive Director  
Majel C. Boudia, Confidential Secretary

Others: Tim Saffle, Masters, Mates & Pilots  
Leah Maurseth, Washington State Ferries Labor Relations  
Harry Thompson, Puget Sound Metal Trades Council  
Bill Knowlton, Marine Engineers' Beneficial Association

APPROVAL OF AGENDA/MINUTES

The meeting was called to order at 10:05 a.m.

Moved, seconded and carried to adopt the agenda distributed at the meeting.

Moved, seconded and carried to approve the minutes of the June 24, 2011 meeting.

STATUS OF CASES

Executive Director Callahan reported on all open cases. Following the transition on July 1, 2011, Ms. Callahan reviewed all cases, sent messages to the parties and docketed them as PERC cases. The election for captains was processed, the ballots were tallied, and the Certification was issued on August 19, 2011, certifying the International Organization of Masters, Mates & Pilots as the exclusive bargaining representative effective July 1, 2013.



Ms. Callahan explained the docketing process along with the agency computer defaults for service on the employer and the unions. All appeals and arbitrations will be forwarded to the Marine Employees' Commission (MEC) for decision as the appellate body. All formal case documents will be provided to the Commissioners for review prior to decision. Commissioner Brennan asked if oral arguments could be requested. Ms. Callahan replied that requests for oral argument can be entertained.

Regarding grievance arbitrations, the Executive Director noted there is no appeal process. Parties can sue to set aside in Court; however, it is very rare for arbitration awards to be overturned. There is an old case pending where the MEC awarded attorney's fees. This case has been appealed to Court. It will be argued by the union's counsel.

The following updates were provided for all open cases:

*IBU v. WSF, Case 24107-U-11-6167 (MEC Case 21-08)*

Unfair labor practice complaint filed June 20, 2008. The parties reached a partial settlement. A hearing is scheduled for December 16, 2011, before Examiner Steve Irvin.

*MEBA v. WSF, Case 24113-U-11-6171 (MEC Case 14-10)*

Unfair labor practice complaint filed March 17, 2010. A second day of hearing is scheduled for October 12, 2011, before Examiner Kenneth Latsch.

*IBU v. WSF, Case 24121-U-11-6173 (MEC Case 7-10)*

Unfair labor practice complaint filed November 15, 2009. A hearing is scheduled for October 11, 2011, before Examiner Lisa Hartrich.

*IBU v. WSF (Pascual), Case 24124-G-11-583 (MEC Case 16-10), filed April 19, 2011*

Grievance filed April 19, 2010. A hearing is scheduled for October 11, 2011. This case has settled, but no final paperwork has been received.

*Jonathan Pearson v. WSF, Case 24126-U-11-6174 (MEC Case 11-10), filed June 15, 2011*

Unfair labor practice complaint filed February 12, 2010. Settlement mediation did not resolve the case. A hearing is scheduled for October 4, 2011, before Examiner Emily Martin.

*IBU v. WSF (Holdal), Case 24130-G-11-586 (MEC Case 10-11)*

Grievance filed June 15, 2011. Awaiting word from the union prior to scheduling mediation.

*IBU v. WSF (Tennessee), Case 24131-G-11-587 (MEC Case 11-11)*

Grievance filed June 15, 2011. Awaiting word from the union prior to scheduling mediation.

*MEBA v. WSF, Case 24132-U-11-6176 (MEC Case 12-11)*

Unfair labor practice complaint filed June 24, 2011. Examiner Robin Romeo has contacted the parties to schedule a prehearing conference call.

Jonathan Pearson v. WSF, Case 24196-S-11-237 (MEC Case 11-10)

This is the settlement mediation case filed in conjunction with Case 24126-U-11-6174. Settlement discussions were not successful in resolving the case.

The following two cases were filed after July 1, 2011:

IBU v. WSF (Nichols), Case 24214-U-11-6201

Unfair labor practice complaint filed August 30, 2011. A preliminary ruling letter with a deferral to arbitration inquiry was mailed to the parties on September 7, 2011.

Emelita Reyes Moniz v. WSF, Case 24245-U-11-6212

Unfair labor practice complaint filed September 14, 2011. A deficiency notice was mailed on September 22, 2011.

ADMINISTRATIVE REPORT

Budget update: Executive Director Callahan reported that the Public Employment Relations Commission (PERC) was not given any funding for the MEC. She and PERC's Administrative Services Manager Diane Tucker have prepared and submitted a supplemental budget to cover the MEC office lease (which ends in 2013). The office was vacated on July 1, 2011. It is unfortunate that PERC must pay for an empty office. This budget request will also cover Commissioner expenses. PERC has also prepared 5% and 10% budget cuts, as requested by the Governor.

Meeting dates: The Commission reviewed a list of meeting dates for 2012. One change was made. The list meeting dates and locations will now be sent to the Code Reviser to publish and will then be placed on the agency website.

The meeting was adjourned at 10:35 a.m.