

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1 - PACIFIC	)	MEC Case No. 6-89
COAST DISTRICT, NATIONAL	)	
MARINE ENGINEERS BENEFICIAL	)	
ASSOCIATION	)	DECISION NO. 57 - MEC
	)	
Grievant,	)	ORDER OF DISMISSAL
	)	
v.	)	
	)	
WASHINGTON STATE FERRIES,	)	
	)	
Respondent.	)	
	)	

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Webster, Mrak and Blumberg by James Webster, Attorney at Law representing National Marine Engineers Beneficial Association.

Kenneth Eikenberry, Attorney General, by Jeffrey D. Stier, Assistant Attorney General, representing Washington State Ferries.

THIS MATTER came on before the Marine Employees' Commission for consideration of the National Marine Engineers Beneficial Association (MEBA) request to withdraw MEC Case No. 6-89.

This matter was originally scheduled for hearing on Thursday, November 30, 1989 before Donald E. Kokjer, acting as hearing examiner on behalf of the Marine Employees' Commission. On November 29, 1989, MEBA requested a postponement of the hearing while the parties attempted to resolve their differences. The Commission agreed that the case would remain pending until further notice from MEBA. On May 30, 1990, following unsuccessful attempts at settlement, MEBA requested the Marine Employees' Commission reschedule a hearing to continue the case. A hearing was scheduled for Tuesday, August 7, 1990. On that date, prior to the commencement of the case, and the National Marine Engineers Beneficial Association withdrew the grievance.

. June 11, 1993. Thereafter, the parties and their counsel represented to Arbitrator Kokjer that the issues involved in the grievance arbitration request had been expanded by the parties. They furthermore represented that diligent efforts were being made to negotiate a settlement in this matter. Based upon these representations, Arbitrator Kokjer continued the hearing on five occasions: June 21, 1993; August 19, 1993; September 29, 1993; November 3, 1993 and December 17, 1993. Prior to hearing on December 17, 1993, the parties reached agreement on the issues, indicating a letter of withdrawal and a copy of the agreement would be promptly forwarded to the Marine Employees' Commission.

On January 13, 1994, the MEC received a letter from Kenneth J. Pedersen, in which he withdrew MEBA's grievance arbitration request. A copy of the settlement agreement reached in this matter is attached and hereby incorporated into this decision.

Pursuant to the withdrawal of the grievance arbitration request by MEBA, it is hereby ordered that MEC Case 2-93 is dismissed.

DONE this 25<sup>th</sup> day of January, 1994.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, Chairman

/s/ DONALD E. KOKJER, Commissioner

/s/ LOUIS O. STEWART, Commissioner

Based upon written confirmation of settlement of the case and a request for withdrawal from MEBA received by the MEC on August 22, 1990, it is hereby ORDERED, that the request for grievance arbitration filed on September 26, 1989 by the National Marine Engineers Beneficial Association against the Washington State Ferries, MEC Case No. 6-89, is dismissed.

Dated this 28<sup>th</sup> day of August, 1990.

MARINE EMPLOYEES' COMMISSION

/s/ DAN E. BOYD, Chairman

/s/ DONALD E. KOKJER, Commissioner

/s/ LOUIS O. STEWART, Commissioner