

BEFORE THE MARINE EMPLOYEES' COMMISSION
STATE OF WASHINGTON

In the matter of the petition of	)	MEC Case No. 14-98
)	
WASHINGTON STATE FERRIES	)	DECISION NO. 204-MEC
)	
for a declaratory order	)	ORDER DENYING PETITION
	)	OF WASHINGTON STATE FERRIES
	)	FOR A DECLARATORY RULING ON
	)	THE STAY OF ARBITRATION
	)	AWARDS AND COLLECTIVE
	)	BARGAINING AGREEMENTS
	)	IMPACTING 1997-1999 BUDGET
_____	)	AUTHORITY

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

Schwerin, Campbell and Barnard, attorneys, by Dmitri Iglitzin, appearing for and on behalf of the Inlandboatmen's Union of the Pacific.

THIS MATTER was filed on October 21, 1998 with the Marine Employees' Commission, on the petition of the Washington State Ferries for a declaratory ruling "as to whether it may delay implementation of the arbitrator's awards at interest arbitration and provisions of Collective Bargaining Agreements which may have labor expenditures to exceed expenditure authority for the 1997-1999 biennium."

The Petition named, and was served on, various unions that were "necessary" to resolution of the quoted inquiry. The Marine Employees' Commission surveyed the necessary parties by formally calling the attention of each to the provision of WAC 316-02-520(5) and requested a statement of consent therefrom, which was required by the regulation.

Such survey determined and the Commission finds, therefore, that only one of the necessary parties consents to the proceedings essential to the entry of a declaratory order in response to such a petition.

It is the judgment of the Commission that as a matter of fact, any order granting the instant petition would substantially prejudice the rights of each of the named necessary parties.

ORDER

It is hereby ordered that the petition be hereby dismissed, with respect to each necessary party, including the Inlandboatmen's Union of the Pacific, under and in accordance with the WAC as cited hereinabove.

DONE this _____ day of October, 1998.

HENRY L. CHILES, JR.

JOHN P. SULLIVAN