

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

RAY TWITTY,)	MEC Case No. 47-00
)	
Complainant,)	
)	DECISION NO. 255 – MEC
v.)	
)	MEC CHAIRMAN'S
DISTRICT NO. 1, MARINE)	ORDER OF DISMISSAL
ENGINEERS' BENEFICIAL)	
ASSOCIATION,)	
)	
Respondent.)	

Ray Twitty on behalf of himself.

Mario Micomonaco, Union Representative, on behalf of District No. 1, Marine Engineers' Beneficial Association.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 11, 2000 when Ray Twitty charged the Marine Engineers' Beneficial Association (MEBA) with engaging in unfair labor practices within the meaning of RCW 47.64.130 and WAC 316-45-003 by restraining or coercing employees in the exercise of the rights guaranteed by these chapters.

In his complaint, Mr. Twitty alleged that MEBA was conducting a dues referendum that violated the Decision and Order of the MEC in Case No. 7-93. Mr. Twitty asserted that the dues increase was specific only to WSF engine employees; however other bargaining units of MEBA were participating in the balloting. He further alleged that WSF/MEBA members in good standing were not sent ballots, denying them voting rights.

The matter was docketed as MEC Case No. 47-00.

REVIEW BY CHAIRMAN

Pursuant to WAC 316-45-110, MEC Chairman John D. Nelson has reviewed the facts alleged in the unfair labor practice charge including a reply to the charge by MEBA Representative, Mario Micomonaco.

1. Ray Twitty is employed by Washington State Ferries and a member of a bargaining unit represented by MEBA.
2. The issue of dues increases was submitted to a membership referendum under rules and procedures set forth in the MEBA constitution and bylaws.
3. Dues increases are not addressed in the collective bargaining agreement covering MEBA represented employees.
4. The dues increase was rejected in the referendum.

This matter involves an internal union matter. Internal union matters do not fall within the jurisdiction of the Marine Employees' Commission. There has been no violation of RCW 47.64.130 and WAC 316-45-003 and it follows that the charge must be dismissed.

ORDER

Based on the reasons set forth herein, Chairman Nelson orders that the charge of unfair labor practice contained in MEC Case 47-00 is dismissed.

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RIGHT TO PETITION FOR REVIEW

Pursuant to WAC 316-45-110, a complaint dismissed by an individual commission member shall be subject to a petition for review as provided in WAC 316-45-350. A petition for review of this decision must be filed within 20 days following the date of the order. The petition for review shall be filed with the Commission at its office in Olympia. A copy of the petition must be served on District No. 1, Marine Engineers' Beneficial Association. MEBA will have 14 days following the date on which it is served with a copy of the petition for review to file a response brief or written argument. In the event no timely petition for review is filed and no action taken by the Commission on its own motion within 30 days following the Chairman's Order of Dismissal, the order shall automatically become the order of the MEC and shall have the same force and effect as if issued by the Commission.

DATED this _____ day of January 2001.

MARINE EMPLOYEES' COMMISSION

JOHN D. NELSON, Chairman