

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL
EMPLOYEES INTERNATIONAL
UNION, LOCAL 8,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 28-05

DECISION NO. 461 - MEC

ORDER OF MEDIATION
RESULTS AND CLOSING MEC
FILE ON UNRESOLVED
GRIEVANCE

Shannon Halme, Union Representative, appearing for Office and Professional Employees International Union, Local 8.

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 9, 2004, when Office and Professional Employees International Union, Local 8 (OPEIU) filed a request for grievance mediation, MEC Case No. 28-05. OPEIU's filing alleged that the reduction in force process WSF followed to eliminate the Floating Secretary position and subsequent layoffs and bumping violated Article 11.4 of the OPEIU/WSF collective bargaining agreement. On January 26, 2005, the OPEIU filed an unfair labor practice complaint based on the same set of facts. On April 27, 2005, the MEC deferred the complaint, docketed as MEC Case No. 33-05, to arbitration.

Commissioner Elizabeth Ford was assigned to act as Mediator for the grievance. The parties participated in a settlement conference on July 7, 2005, but were unable to resolve the

matter. The MEC does not have authority under the OPEIU/WSF contract to conduct the arbitration.

ORDER

It is hereby ordered that the MEC's file on the request for grievance mediation, filed by OPEIU Local 8 and docketed as MEC Case No. 28-05, is closed.

DATED this 9th day of November 2005.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner