

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL LONGSHOREMEN'S AND)	
WAREHOUSEMEN'S UNION, LOCAL 9,)	
)	
Complainant,)	CASE 10320-U-93-2367
)	
vs.)	DECISION 4989-A - PORT
)	
PORT OF SEATTLE,)	
)	
Respondent.)	ORDER CLOSING CASE
)	
)	

Schwerin, Burns, Campbell and French, by Spencer N. Thal, attorney at law, appeared on behalf of the complainant.

Herman Wacker, attorney at law, appeared on behalf of the respondent.

These proceedings were commenced by a complaint charging unfair labor practices filed by International Longshoremen's and Warehousemen's Union, Local 9, on March 10, 1993. The union alleged that the Port of Seattle had refused to bargain, in violation of RCW 41.56.140(4). The charges were heard by Examiner Katrina I. Boedecker on May 12 and 13 and June 20 and 21, 1994. During the hearing, the Examiner granted a joint motion of the parties to bifurcate the liability issue from the issue of the appropriate remedy. The Examiner issued her findings of fact, conclusions of law and an interlocutory order in the matter on March 8, 1995, holding that the employer had failed to bargain and directing the matter to be reconvened to determine the appropriate remedy.

The hearing to determine the appropriate remedies was held on July 19, 1995, before the Examiner. Prior to filing their closing briefs, the parties advised the Examiner that they were engaged in negotiating a settlement in the case. The Examiner granted their request to hold the matter in abeyance, pending notice from the

parties. On January 4, 1996, the complainant advised the Examiner that the parties had "... fully settled the issues giving rise to the unfair labor practice charge". The complainant thereafter requested to withdraw the charges and have "the Commission conduct no further proceedings in this matter".

The request for withdrawal of the original complaint cannot be honored, since the order which has been issued on the merits of the dispute cannot be withdrawn. The request to conduct no further proceedings can be (and is) accepted, however, resulting in closure of the case.

NOW, THEREFORE, it is

ORDERED

The request to conduct no further proceedings in the above-entitled matter is accepted, and the proceedings are closed.

ISSUED at Olympia, Washington, this 16th day of January, 1996.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


KATRINA I. BOEDECKER, Examiner