

EMPLOYMENT RELATIONS BOARD  
OF THE  
STATE OF OREGON

METROPOLITAN EXPOSITION	)	Case No. UP-57-12
RECREATION COMMISSION,	)	
	)	
Complainant,	)	CONSENT ORDER
	)	
v.	)	
	)	
ILWU LOCAL 28,	)	
	)	
Respondent.	)	

On January 11, 2012, Metropolitan Exposition Recreation Commission, ("MERC"), filed an unfair labor practice against Respondent International Longshore Workers Union, Local 28 ("Union"), alleging violations of ORS 243.672(2)(b) when the bargaining team allegedly failed to recommend ratification of the tentatively agreed to successor contract between the parties, failed to negotiate in good faith, and failed to provide information.

The parties have agreed to settle this matter by entry of this consent order, subject to Board approval. They also agree to waive all further proceedings in this matter, including a hearing before the Board and judicial review of the consent order. Finally, the signatories warrant they are authorized by their respective principals to sign the stipulation, waive reading of the Administrative Procedure Act rights (ORS 183.413), and represent that the statements in the stipulation of fact are accurate and constitute all of the evidence that either party wishes to present to the Board.

II. STIPULATED FACTS

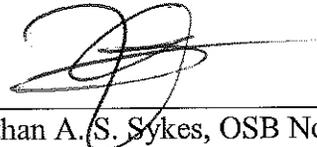
1. ILWU Local 28 is a labor organization as defined by ORS 243.650(13).
2. MERC is a public employer as defined by ORS 243.650(20).
3. The Bargaining Committee of the Union failed to recommend to the membership ratification of the tentatively agreed upon collective bargaining agreement.

III. STIPULATED CONCLUSIONS OF LAW

1. The Board has jurisdiction over the parties and this subject matter.
2. The Union violated ORS 243.672(2)(b) when its bargaining committee did not recommend to the membership ratification of the tentatively agreed upon collective bargaining agreement.

IV. STIPULATED ORDER

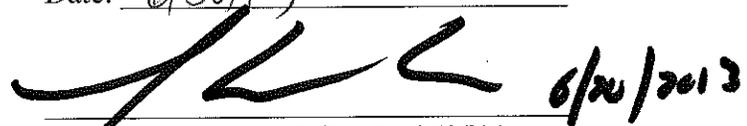
1. The Union shall cease and desist from conduct in violation of ORS 243.672(2)(b) and shall recommend ratification of the tentatively agreed to contract.
2. All remaining claims are dismissed.
3. Neither party shall be awarded representation costs and no civil penalty shall be awarded.



Nathan A. S. Sykes, OSB No. 954347

Attorney For Complainant

Date: 6/20/13



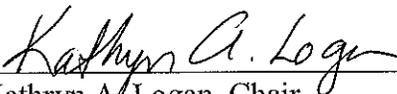
Thomas K. Doyle, OSB No. 972511

Attorney for Respondent

Date: \_\_\_\_\_

This Consent Order is hereby approved this 25 day of June, 2013

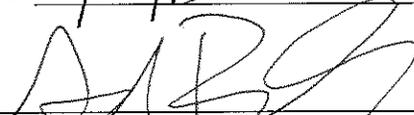
FOR THE EMPLOYMENT RELATIONS BOARD

  
\_\_\_\_\_  
Kathryn A. Logan, Chair

Date: 6/25/13

  
\_\_\_\_\_  
Jason M. Weyand, Board Member

Date: 6/25/13

  
\_\_\_\_\_  
Adam L. Rhynard, Board Member

Date: 6/25/13