

Arbitration Summary

UNION: Teamsters Local Union 117

AGENCY: Department of Corrections

GRIEVANT: Group Grievance (AHCC)

CBA: Teamsters 2007-2009

ARBITRATOR: Richard M. Humphreys

DATE FILED: July 16, 2008

HEARING DATE: April 23, 2009

DATE OF AWARD: August 14, 2009

ARTICLE(S) GRIEVED:

Article 20.4 – Personal Holiday

Article 21.12 – Additional Approved Vacation Leave (CBA Day)

ISSUE STATEMENT(S):

Did the State violate the Collective Bargaining Agreement (CBA) particularly Article 20.4 and 21.12 when it denied Grievants to take Personal Holiday/CBA Days when staffing levels were "Four above available relief"?

AWARD:

The arbitrator, Richard M. Humphreys, found that the Employer has the right to deny CBA/Personal Holidays provided there is rational basis for the denial. However, in this particular case Arbitrator Humphreys did not find the reason of denial given to the grievants was justified. Arbitrator Humphreys awarded both grievants receive compensation equal to the days of the CBA and Personal Holiday leave denied by the DOC.