

## **Arbitration Summary**

**UNION:** Washington Federation of State Employees (WFSE)

**AGENCY:** Department of Social and Health Services

**GRIEVANT:** Paul Spilker

**CBA:** WFSE 2009-2011

**ARBITRATOR:** Michael E. de Grasse

**DATE FILED:** August 14, 2009

**HEARING DATE:** November 4, 2010

**DATE OF AWARD:** January 13, 2011

**ARTICLE(S) GRIEVED:**

Article 42.14 - Callback

**ISSUE STATEMENT(S):**

Did the Employer violate the collective bargaining agreement when it refused to pay the grievant three hours of penalty pay for holding over for one-half hour awaiting his replacement at the end of an overtime shift he voluntarily worked on one of his scheduled days off?

**AWARD:**

The arbitrator, Michael E. de Grasse, found that WSFE failed to meet the burden of proof in this contract interpretation. An award was issued to say the State did not violate the CBA and the arbitrator denied the grievance.