

Arbitration Summary

UNION: Washington Federation of State Employees (WFSE)

AGENCY: Department of Transportation

GRIEVANT: Anthony Corbett and Sanjeev Bhalerao

CBA: WFSE 2005–2007

ARBITRATOR: Howell L. Lankford

DATE FILED: September 9, 2005

HEARING DATE: November 20, 2006

DATE OF AWARD: February 2, 2007

ARTICLE(S) GRIEVED:

Article 6.8 – Hours of Work (Overtime-Exempt Employees)

Article 29.3 – Filing and Processing

Article 42.22 – Compensation (Standby)

ISSUE STATEMENT(S):

Did the State violate the Collective Bargaining Agreement (CBA) particularly Article 42.22D when it refused to provide standby pay for the Grievants on the grounds that they were overtime-exempt employees; and, if so, what is the appropriate remedy?

AWARD:

The Arbitrator, Howell L. Lankford, 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 dismissed the grievance.