Arbitration Summary

UNION: Washington Federation of State Employees (WFSE)

AGENCY: Department of Transportation (DOT)

GRIEVANT: Allan Martin


ARBITRATOR: Kathryn T. Whalen

DATE FILED: December 19, 2005

HEARING DATE: August 28, 2006

DATE OF AWARD: November 8, 2006

ARTICLE(S) GRIEVED:
Article 6.2 – [Hours of Work] Determination (not considered by Arbitrator)
Article 7 – Overtime
Article 42.22 – Compensation (Standby)

ISSUE STATEMENT(S):
Is it a violation of the Collective Bargaining Agreement (CBA) to deny Grievant full overtime pay from the moment he receives a call to duty while on standby status? If so, what is the appropriate remedy?

AWARD:
The Arbitrator, Kathryn T. Whalen, found that evidence presented by WSFE failed to establish that a violation of the CBA had occurred and denied and dismissed the grievance.