

## **Arbitration Summary**

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

**AGENCY:** Department of Transportation (DOT)

**GRIEVANT:** Allan Martin

**CBA:** WFSE 2005–2007

**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.