

Arbitration Summary

UNION: Washington Federation of State Employees (WFSE)

AGENCY: Employment Security Department

GRIEVANT(S): Shannon Mendoza, Juan Martinez, and Monica Garza-Acevedo

CBA: WFSE 2005–2007

ARBITRATOR: James M. Paulson

DATE FILED: June 11, 2007

HEARING DATE: February 7, 2008

DATE OF AWARD: April 6, 2008

ARTICLE(S) GRIEVED:

Article 42 – Compensation
Appendix K – Assignment Pay

ISSUE STATEMENT(S):

Is the grievance filed on June 11, 2007, not arbitrable, in whole or in part, as being untimely filed for arbitration under Article 29 of the Collective Bargaining Agreement (CBA)? To the extent the grievance is arbitrable, did the State violate the CBA by not granting the grievants full time dual language assignment pay since on or about April 11, 2007? If so, what shall the remedy be?

AWARD:

The arbitrator, James M. Paulson, found that the grievance filed on June 11, 2007 was arbitrable with the limitation that no remedy may be awarded for the State's conduct for more than twenty-one days prior to the filing of the grievance. The State did not violate the CBA by refusing to grant the grievants full time dual language assignment pay.