Arbitration Summary

UNION: Teamsters Local Union 117
AGENCY: Department of Corrections
GRIEVANT: John Orton
CBA: Teamsters 2007-2009
ARBITRATOR: Michael E. Cavanaugh
DATE FILED: May 18, 2009
HEARING DATE: June 16, 2010
DATE OF AWARD: October 4, 2010

ARTICLE(S) GRIEVED:
17.2 Overtime - Determination and Assignment of Overtime
17.7 Overtime - Employer Right to Assign

ISSUE STATEMENT(S):
Did the Employer violate article 17.2 of the parties’ CBA when is assigned out of town overnight work to an employee with less seniority than Grievant as alleged in grievance 14-06?

AWARD:
The arbitrator, Michael E. Cavanaugh, ruled that the DOC did not violate the contract when it assigned out of town overnight work to an employee with less seniority than the Grievant. The arbitrator ruled that DOC does have the ability to look at job qualifications and/or case familiarity with the offender crew in determining who is assigned to work and therefore accrue overtime.