

## **Arbitration Summary**

**UNION:** Washington Public Employees Association (WPEA)

**AGENCY:** Liquor Control Board

**GRIEVANT:** Danny White

**CBA:** WPEA 2009-2011

**ARBITRATOR:** Alan R. Krebs

**DATE FILED:** December 17, 2009

**HEARING DATE:** February 1, 2011

**DATE OF AWARD:** March 25, 2011

### **ARTICLE(S) GRIEVED:**

Article 36 – Management Rights

Article 40 – Classification (40.1 Classification Plan Revision, 40.4 Salary Impact of Reallocation)

Article 41 – Compensation (41.20 Salary Overpayment Recovery)

### **ISSUE STATEMENT(S):**

Did the Employer violate the Collective Bargaining Agreement when it reduced the Grievant's salary and demanded that he pay back salary that is considered to be an overpayment? If so, what is the appropriate remedy?

### **AWARD:**

The arbitrator, Alan R. Krebs, concluded that the Employer did not violate the CBA when it reduced the Grievant's salary to the level appropriate for a Retail Manager 3 and demanded that he pay back the amount of the overpayment which he has received during the August 15 through October 31, 2009 pay periods. The grievance was denied.