

Arbitration Summary

UNION: Washington Federation of State Employees (WFSE)

AGENCY: Department of Social and Health Services

GRIEVANT: Linda Ripke et al

CBA: WFSE 2005-2007

ARBITRATOR: Gary L. Axon

DATE FILED: May 8, 2007

HEARING DATE: June 18, 2008

DATE OF AWARD: September 24, 2008

ARTICLE(S) GRIEVED:

Article 20 – Safety and Health
Article 38.1 – Mandatory Subjects
Article 41.1 – Classification

ISSUE STATEMENT(S):

Did the Department of Social and Health Services (DSHS) violate, misapply or misinterpret the 2005-2007 Collective Bargaining Agreement in Articles 20, 38.1 and 41.1 when management conducted a client move from one housing location to another using State Operated Living Alternatives (SOLA) employees? If yes, what is the appropriate remedy?

AWARD:

Having reviewed all of the evidence and argument, I find the Union failed to prove the Employer violated Articles 20, 38 or 41 when management assigned ACs to conduct a client move from one housing location to another on May 1 and 2, 2007. The grievance is denied and dismissed in its entirety.