

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.