

BEFORE THE ARBITRATOR

In the Matter of the Arbitration of a Dispute Between

**LITTLE CHUTE VILLAGE EMPLOYEES
LOCAL 130-C, AFSCME, AFL-CIO**

and

VILLAGE OF LITTLE CHUTE

Case 39
No. 58024
A-10818

Appearances:

Mr. Robert Baxter, Staff Representative, Wisconsin Council 40, AFSCME, AFL-CIO, on behalf of the Union.

Davis & Kuelthau, S.C., by **Mr. James R. Macy**, on behalf of the City.

ARBITRATION AWARD

The above-captioned parties, herein "Union" and "City", are signatories to a collective bargaining agreement providing for final and binding arbitration. Pursuant thereto, hearing was held in Little Chute, Wisconsin, on March 7, 2000. Pursuant to the request of the parties, I issued a bench decision which this Award augments.

Based upon the entire record and arguments of the parties, I find that:

1. Grievants Todd Bruyette and Pat Verhagen shall receive backpay and benefits for the three-quarter day they were suspended on September 1, 1999.
2. In so ruling, I do not address - and hence do not decide - whether the City has violated the contract.

3. If any other employes in the future abuse work time, they shall receive a one-day suspension without pay and benefits. The record of any such suspension shall be in effect for however long said employes remain employed notwithstanding Article 6, Section 6.02(3), of the contract which states that suspensions ordinarily are expunged after one calendar year. Moreover, the City is entitled to rely on any such suspension as part of the normal progressive disciplinary chain.
4. The parties are entitled to bargain over whether the terms of this Award shall be changed. Absent any mutual agreement to change it, the Award shall remain in effect and it shall supersede any contract terms.
5. I shall retain my jurisdiction indefinitely to resolve any questions that may arise over application of this Award.

Dated at Madison, Wisconsin this 22nd day of March, 2000.

Amedeo Greco /s/

Amedeo Greco, Arbitrator

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