

BEFORE THE ARBITRATOR

In the Matter of the Arbitration of a Dispute Between

TOWN OF BELOIT (FIRE DEPARTMENT)

and

**INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS
(IAFF) LOCAL 2386**

Case 38
No. 62164
MA-12184

Appearances:

For IAFF, Local 2386: **Mr. Joe Conway**, IAFF 5th District; **Mr. Jeffrey Miller**, President, Local 2386.

For Town of Beloit: **Mr. Robert Museus**, Town Administrator; **Mr. Joe Holcomy**, Fire Chief.

ARBITRATION AWARD

The International Association of Fire Fighters (IAFF), hereinafter referred to as Union, and the Town of Beloit (hereinafter referred to as Employer) are parties to a collective bargaining agreement covering the period from January 1, 2001 through December 31, 2003. That agreement provides for binding arbitration of grievances as therein defined that may arise between the parties. On February 28, 2003, the Union filed a request with the Wisconsin Employment Relations Commission for a Commissioner or staff member to serve as the sole arbitrator of the grievance that had arisen between the parties. Commissioner A. Henry Hempe was appointed by said Commission to hear and decide said dispute. A hearing was conducted on April 23, 2003 in the Town of Beloit, Wisconsin, and testimony and evidence was offered and received. No transcript of the hearing was prepared. The parties waived the filing of briefs and requested the arbitrator to issue a bench decision following oral arguments. Following oral arguments presented by each party, the arbitrator issued a bench decision following oral arguments. Following oral arguments presented by each party, the arbitrator issued a bench decision of which this written record is made.

STATEMENT OF THE ISSUE

The parties agreed to a statement of the issue as follows:

Did the Employer violate the Collective Bargaining Agreement between the parties when the Fire Chief issued his October 11, 2002 memo on weekly apparatus checks?

If so, what is the appropriate remedy?

BENCH DECISION AND AWARD

The Employer did not violate the Collective Bargaining Agreement between the parties when the Fire Chief issued his October 11, 2002 memo on weekly apparatus checks. Accordingly, the grievance is dismissed.

Dated at Madison, Wisconsin, this 6th day of May, 2003.

A. Henry Hempe /s/

A. Henry Hempe, Arbitrator