

May 16, 2024

Article XX, Section D - Step Four: Notice of Intent to Arbitrate

Director of Labor Relations:

This Notice follows the HOA's Grievance dated April 11, 2024 and the Employer's written, third step response to the grievance was due May 11, 2024 but has not been received. The HOA is filing within the ten (10) day timeline within the CBA on May 16th for the grievance on behalf of [REDACTED].

The issue for arbitration is: "Did the Employer violate the parties' collective bargaining agreement or employees' leave rights when it forced [REDACTED] to use vacation time or face training extensions over an FMLA approved absence related to Covid-19? If so, what is the appropriate remedy?"

The directly-implicated contract provisions are Article XIII and Article XIV.

The Anesthesiology Department violated the rights of [REDACTED] under the CBA. The grievance should be sustained, and [REDACTED] should be made whole.

The HOA requests the Employer provide us with whom it considers the next Umpire up to hear a case on the panel and the HOA will contact them. On April 4, 2024 the HOA made a records request for the names of all House Officers who had been granted FMLA covered leave by the Department of Anesthesiology between May of 2023 and the present. To date, that information has not been provided. The HOA is repeating the request here. Please provide it under PERA for the HOA to best represent our members.

Sincerely,



Dominic Barbato
Staff Associate, HOA
On behalf of the Association