

April 6, 2023

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

Director of Labor Relations:

This Notice follows the HOA's Grievance dated March 2, 2023 and the Employer's denial of the Grievance dated March 31, 2023 (#23-11449).

The issue for arbitration is: "Did the Employer violate the parties' Agreement when, citing the parties' labor contract, it forbid the Pediatrics Department from supplementally paying unit members for covering extra clinical shifts?"

The Graduate Medical Education office is violating the parties' Agreement by forbidding Pediatrics from granting supplemental payments and by citing the CBA as the impediment. Paragraph 18 is not a bulwark against compensation for the performance of extra work not originally contemplated as part of a training program. The HOA is requesting that the Employer communicate to the unit and departments that there is no applicable, contractual ban on such payments, and that Pediatrics be either allowed to make such payments or told explicitly that it is the University forbidding the payments, not the CBA.

Please also consider this a renewed request for the information sought by the original grievance filing. If the University will not comply with this renewed request, please provide citations for the assertion that the emails requested are internal communications not contemplated as responsive under PERA; the HOA believes they are presumptively relevant ad unprivileged.

The HOA will contact FMCS for a panel.

Sincerely,

Robin Tarter

Robin Tarter, M.Ed.
Executive Director, HOA
On behalf of the Association