

Rocky Mace
Theront Nadia Roseman
23-17-6-20-22-090-01-04

1/19/87

I find for the employer and dismiss the grievance. Based upon the testimony of Kent Miller of the Campus Police. I find that considering the workload and the nature of the offense the disciplinary action was taken as soon as reasonably possible.

Based upon the testimony of Nancy Sogge Director of Nursing I find that policy and procedure was not followed.

I further find that the patient was locked in the shower over night and the testimony of Kent Miller contains an admission against interest that supports this finding.

Carol A. Allen
arbitrator

Grievant J O Dore Ph-128-87 11/19/87

The grievance is sustained. I find that article 13.07 of the contract means that employees who normally perform the work must be contacted either on or off site. Mr Dore's history of heart trouble along with his sworn testimony that he went directly to the VA hospital and was given medicine supports this. Frankly it would appear that Mr Dore was insubordinate but based upon his willingness to work overtime both before and after August 14, 1987 lead me to construe this as a health and safety issue.

Craig Allen
Arbitrator