

ARBITRATION AWARD SUMMARY

OCB Award Number: 237

OCB Grievance Number: 27-15-880404-0061-01-03

Union: OCSEA/AFSCME John Thompson

Department: R & C

Arbitrator: Nicholas Duda

Management Advocate: Ted Durkee

Union Advocate: Butch Wylie

Arbitration Date: 11-30-88

Decision Date: 12-5-88

Decision: modified

IN THE MATTER OF ARBITRATION
UNDER THE CONTRACT

Between:)
)
The State of Ohio and The) Grievance 27-15(4-4-88)61-1-3
Department of Rehabilitation)
and Corrections)
)
THE STATE)
) ND 662
)
-and-)
)
Ohio Civil Service Employees)
Association, Local 11)
AFSCME, AFL-CIO)
)
THE UNION)

Before: NICHOLAS DUDA, JR., ARBITRATOR

OPINION AND AWARD:

December 5, 1988

APPEARANCES**FOR THE STATE**

Ted Durkee, Labor Relations Office, Presenting the Case

Ed Morales, Contract Compliance Liaison

Norris McMackin, Superintendent, Marion Correction Institution

Dean Millhone, Labor Relations Officer, Marion Correction Institution

Ronald Allen, Captain, Marion Correction Institution, Witness

Iuana Mathew, Personnel Officer, Marion Correction Institution, Witness

William Lee, Administrative Assistant, Marion Correction Institution

Roger Oskins, Lieutenant, Marion Correction Institution

Rodney Sampson, Assistant Chief, Arbitration Services, OCB

FOR THE UNION

C. A. Wylie, Advocate, Presenting the Case

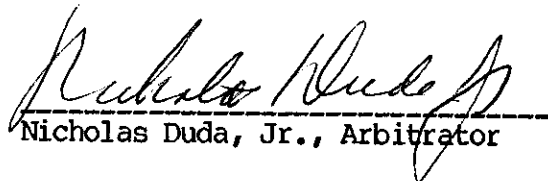
Linda Fiely, OCSEA

John Thompson, Grievant

Fran Reisinger, Chief Steward

AWARD

Whereas at mediation after the arbitration hearing for this case the Parties moved to settle on an adequate and reasonable basis satisfactory to the Grievant, the Arbitrator approves their Settlement Agreement (copy attached) as the final and binding arbitration award for this case.



Nicholas Duda, Jr., Arbitrator

IN THE MATTER OF ARBITRATION
UNDER THE CONTRACT BETWEEN


The State of Ohio and
The Department of Rehabilitation and Corrections
-and-
Ohio Civil Service Employees Association
Local 11, AFSCME, AFL-CIO
Grievance 27-15(4-4-88) 61-1-3
ND 662

After the presentation of the subject arbitration, the Parties accepted the Arbitrator's offer to mediate resolution of the subject dispute. Thereafter the Parties agreed to settle solely on the basis of the following terms:

1. The subject case is settled without precedent or prejudice to the position of either party in any current or future situation;
2. Grievant Thompson's removal will be converted to an extended suspension of fifteen (15) days ending on April 3, 1988.
3. Mr. Thompson will be paid a gross amount of \$2,000.00;
4. The Department and State will accept Mr. Thompson's voluntary resignation which shall be deemed effective April 4, 1988.
5. If contacted by prospective employers concerning Mr. Thompson, the State will limit its reply to the dates of his service, position held, and the date of his voluntary resignation.
6. This settlement will not be cited in connection with discipline of any other employee.
7. If these terms are approved by the Arbitrator they will be made the basis of his final and binding arbitration award for this case.

AGREED:

FOR THE UNION:



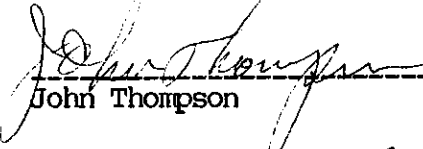
C. A. Wylie

FOR THE STATE OF OHIO:



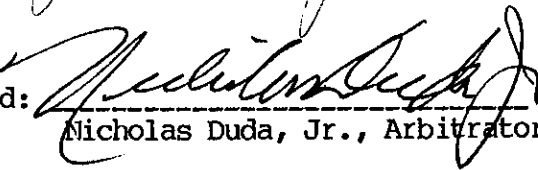
Ted Durkee

Grievant:



John Thompson

Approved:



Nicholas Duda, Jr., Arbitrator