

ARBITRATION AWARD SUMMARY

#328

OCB Award Number: 328EX

OCB Grievance Number: SEE below

Union: AFSCME

Department: MH

Arbitrator: Jerry Fullmer

Management Advocate: Sally Miller / Teri Decker

Union Advocate: Myrl Lockett

Arbitration Date: 8-30-89

Decision Date: 8-30-89

Decision: SEE below

24-04-88 1207-0121-01-04 Joyce Brown - Denied

23-18-88 0916-0150-01-04 Edmonia Antoine - Modified

ARBITRATION  
BENCH DECISION AND AWARD

# 328

Arbitrator: Jerry A. Fullmer

State of Ohio

Grievance No. 24 04 88 1207012101

Department Mental Health

Grievant Joyce A. Brown

Union OCSBA

Date of Hearing 8/30/89

WARRENVILLE DEPT. CLERK  
Issue(s):

WAS THE GRIEVANT, JOYCE A. BROWN, ISSUED  
A 5 DAY SUSPENSION FOR JUST CAUSE?

Appearances:

For the Employer: (Advocate) SALLY MILLER

For the Union: (Advocate) MYRL LOCKETT

AWARD: GRIEVANCE DENIED. AS TO THE  
"HEAD ON TABLE" INCIDENT, EMPLOYEES CLAIMING  
TO BE ILL MUST NOTIFY SUPERUNION OR MED. AUTHS.  
IF THEY DO NOT, THERE IS RISK OF BEING VIEWED  
AS ASLEEP OR MALINGERING. OVERSTAY OF  
LUNCH BREAK IS ADMITTED & NOT DUE TO  
ILLNESS. EMPLOYEES CANNOT TACK UN-  
TAKEN BREAKS ONTO LUNCH BREAK  
WITHOUT SUPERVISOR'S AUTHORIZATION.

Issued at Northfield, OH

8/30/89  
Date

Jerry A. Fullmer  
Arbitrator's Signature

ARBITRATION  
BENCH DECISION AND AWARD

#328

Arbitrator: Jerry A. Fullmer

State of Ohio

Grievance No. 23-18-880916-0150-01-04

Department Ment. Health

Grievant Edmond A. Antoine

Union UCSEA

Date of Hearing 8/30/89

Issue(s): WAS THERE JUST CAUSE TO SUSPEND MS.  
ANTOINE FOR INDISCRIMINATE USE OF ABUSIVE  
LANGUAGE AND A VERBAL OUTCAST?

Appearances:

For the Employer: (Advocate) TERI DECKER

For the Union: (Advocate) MYRL LOCKETT

AWARD: TWO DAY SUSPENSION CONVERTED TO  
WAITING PERMANENT. REASONS INCLUDE SUPERVISOR  
WAGGING FINGER IN GRIEVANT'S FACE AS CONTRIBUTING  
FACTOR. WAGGING FOUND ON BASIS OF TWO WITNESSED  
TESTIMONY, PLUS NON-DENIAL BY SUPERVISOR. ALSO,  
THE "VERBAL OUTCAST" APPEARS NOT TO BE AN  
AGGRAVATED ONE IN THAT IT WAS PRIMARILY  
ONE SENTENCE WITH UNOBJECTIONABLE LANGUAGE.  
GRIEVANT TO RECEIVE PAYMENT FOR THE  
TWO DAYS.

Issued at North Frio, OH  
8/30/89  
Date

Jerry A. Fullmer  
Arbitrator's Signature