

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: JEFF A FULLER

State of Ohio

Grievance No. 687-2746

Department Corrections

Grievant PAUL HOLT

Union OCSFA

Date of Hearing 12/5/89

Issue(s): Was The Grievant's Three (3) day suspension a violation of The parties' Agreement. If not what shall the remedy be?

Appearances:

For the Employer: (Advocate) Richard Hall
Low K. Tchen

For the Union: (Advocate) Beth Wylie
Allan Branch

AWARD: Three Day Suspension modified to written reprimand, for essentially same reasons as G-87-2016.

Assuming grievance related to only \$24.02 Taromiss Policy establishes grade at CC, VR, WR, 1 Day Susp. (The same essentially as the 24.02 steps. With the conversion of the 1 Day Susp. in G-87-2016 to a verbal warning, the 3 Day Susp. in this case skips the written warning step of both the Taromiss Policy & \$24.02.

3 Days Back Pay.

Issued at Manifested OH

12/5/89
Date

Jeff A Fuller
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: JERRY A. FULLMER

State of Ohio

Grievance No. G 87-2016

Department Correctional

Grievant PAUL HOLT

Union OSCEA, Loc. 11

Date of Hearing 12/5/89

Issue(s): Was the grievant's suspension for
just cause? If not, what shall the remedy
be?

Appearances:

For the Employer: (Advocate) Richard Hall
Low K. Tchen

For the Union: (Advocate) Butch Wylic
Allyne Beach

AWARD: One Day Suspension modified to Verbal
Reprimand. When Captain Le Clair imposed
"Correctional Counseling" on 5/23/87 the choice to
proceed on tardiness policy track and did so
in knowledge of this grievant's past disciplinary
record. There were no violations between
5/23 & 6/13. Management is thus stuck with
next step on tardiness grid, i.e.
verbal warning, rather than re-
assessing this grievant's prior 5/23
record.
Back pay for day in question

Issued at MANUSFIELD OH
12/5/89
Date

J. A. Fullmer
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: JERRY A. FULLMER

State of Ohio

Grievance No. 27-20-0119-89-029-01-05

Department Corrections

Grievant Robert Kasiline

Union OCSEA, Local 11

Date of Hearing 12/6/89

Issue(s): Was Robert Kasiline given a written reprimand for just cause, if not what shall the remedy be?

Appearances:

For the Employer: (Advocate) Ricardo Hall
Low Kitchen

For the Union: (Advocate) Allyne Beach
Butch Wylie

AWARD: Written Reprimand sustained in part & rescinded in part. 1) December 27/2nd portion of warning sustained. Arb. finds that Med. excuse was requested, grievant's culpability on 3/17-4/26 question is major factor, Arb. does not read contract as precluding such requests.

2) Pattern Abuse portion rescinded. Arb. is concerned about non-production of E2, E3, & E7 by state, no real reason given. As sanction "Pattern Abuse" rescinded and grievant returned to status as of 12/26/88.

Issued at Mansfield OH
12/6/89
Date

J. A. Fullmer
Arbitrator's Signature