

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 31-08 (11-15-88) 98-01-06

Department ODOT

Grievant MARK A. McCRESSE

Union AFSCME

Date of Hearing Jan 18, 1990

Issue(s): Directive A-301 art 33 Directive
A-306, Sec 4

Appearances:

For the ~~Employer~~ ^{UNION}: (Advocate) Michael Temple +

For the ~~Union~~ ^{EMPLOYER}: (Advocate) Carl C. Best

Witnesses - Glen Switzer + James Tife

AWARD: I sustain the grievance in part and
reduce the suspension to two days. The OSP
report does not indicate high speed and no
citation was issued. I do feel the driver was
inattentive but the OSP must not have felt this
was the sole cause. I would be more inclined
to agree with the Deputy Director but the employee
was disobeying orders as to testing only on
State Routes.

Issued at ODOT Dist 8
Delaware, Ohio

Craig Allen
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 31-08(F-21-89) 55-01-06

Department ODOT

Grievant ALLEN CAMPBELL

Union AFSCME

Date of Hearing Jan 18, 1990

Issue(s): Insubordination, Unexcused
absence art 2 and art 16

Appearances:

For the Employer: (Advocate) Carl C. Best
Allen Switzer, witness

For the Union: (Advocate) MICHAEL TEMPLE +
Grievant

AWARD: I deny the grievance. Directive A-301
Article 16 provides for a written reprimand
for the first occurrence. This was a
second offense in a short period of time.
The employee failed to file a grievance over
the written reprimand. While management
must consider mitigating circumstances
the employee has at least some obligation
to speak out to defend himself.

Issued at Dist 8 ODOT
Lebanon, Ohio

Craig Allen
Arbitrator's Signature