

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: JERRY A. FULLMER

0007-01-07

State of Ohio

Grievance No. 26-00-(89-04-21) -

Department P.U.C.O

Grievant Charles Strayia

Union UCSEA Loc. 11

Date of Hearing _____

Issue(s): Was the 3 day suspension of Charles Strayia, Grievant, for just cause? If not, what should the remedy be?

Appearances:

For the Employer: (Advocate) Larry Ringia

For the Union: (Advocate) Maxine Hicks

AWARD: Grievance denied. Trooper Heavath's testimony was convincing in detail & her expertise & experience in detecting persons under the influence was well established. She had had only fleeting contact with the Grievant and no reason to fabricate testimony to "get" the Grievant.

The testimony of Messrs. Aoria & Hyatt was not as detailed and there were indications in Mr. Aoria's especially of a lack of precise recollection.

The 3-day penalty is not severe and adequately takes into account the delay in reporting by Heavath.

Issued at Columbus, Ohio
2/16/90
Date

Jerry A. Fullmer
Arbitrator's Signature