

ARBITRATION SUMMARY AND AWARD LOG

OCB AWARD #: 547 EX

OCB GRIEVANCE NUMBER: 27-11-900910-0078-01-03

GRIEVANT NAME: GAFFNEY, RICHARD C.

UNION: OCSEA/AFSCME

DEPARTMENT: REHAB & CORRECTIONS

ARBITRATOR: IMUNDO, LOUIS

MANAGEMENT ADVOCATE: COE, ROGER

2ND CHAIR:

UNION ADVOCATE: TEMPLE, MIKE

ARBITRATION DATE: JANUARY 29, 1991

DECISION DATE: JANUARY 29, 1991

DECISION: MODIFIED

CONTRACT SECTIONS
AND/OR ISSUES:

3 DAY DISCIPLINARY SUSPENSION FOR ALLEGED VIOLATION OF
WORK RULES 7 & 20, INSUBORDINATION. JUST CAUSE FOR
DISCIPLINE.

HOLDING: NO JUST CAUSE TO DISCIPLINE FOR 6/24/90 INCIDENT. JUST CAUSE UNDER
RULE #7 FOR INCIDENT ON 26TH, FOR WHICH 3 DAY SUSPENSION
APPROPRIATE AND UPHELD. RECORD OF DISCIPLINE TO REMAIN IN FILE
FOR TWO YEARS.

ARB COST: \$209.00

ARBITRATION
BENCH DECISION AND AWARD

ET

Arbitrator: LOUIS V. I MUNDO

State of Ohio

Grievance No. 27-11 (9/10/90) 78-01-03

Department LEBANON CORRECTIONAL INST.

Grievant RICHARD C. GAFFNEY

Union OCSEA / ABLME

Date of Hearing 1-29-91

Issue(s): 3 DAY DISCIPLINARY SUSPENSION FOR ALLEGED VIOLATION

OF RULES 7+26 - INSUBORDINATION - THREATENING INTIMIDATING,

OR COERCISION JUST CAUSE / APPROPRIATENESS OF ACTION

Appearances:

For the Employer: (Advocate) ROGER COE

For the Union: (Advocate) MIKE TEMPLE

AWARD: MANAGEMENT HAD NO JUST CAUSE TO DISCIPLINE GRIEVANT

FOR 6-24-90 INCIDENT. MANAGEMENT HAD JUST CAUSE

UNDER RULE NO 7. TO DISCIPLINE GRIEVANT FOR INCIDENT ON

JUNE 26 TH: 3 DAY SUSPENSION WAS APPROPRIATE.

JUNE 24TH INCIDENT IS TO BE REMOVED FROM RECORD. RECORD OF

DISCIPLINE IS TO REMAIN IN GRIEVANT'S FILE FOR TWO YEARS

FROM DATE OF ISSUANCE AS PER AGREEMENT

Issued at CINCINNATI OHIO

Louis V. Imundo
Arbitrator's Signature

1-29-91
Date