

Arbitrator: LOUIS V. IMUNDO

State of Ohio

Department ODOTUnion OCSEA / AFSCMEGrievance No. 31-13(09/14/90) 41-01-09Grievant TAMMY KINGDate of Hearing MARCH 7, 1991

Issue(s): DID MANAGEMENT HAVE JUST CAUSE TO SUSPEND THE  
GRIEVANT FOR ONE DAY. IF NOT, WHAT IS THE APPROPRIATE  
REMEDY?

## Appearances:

For the Employer: (Advocate) SUSAN M. GRUNDEYFor the Union: (Advocate) JOHN GERSPER

AWARD: MANAGEMENT HAD JUST CAUSE TO DISCIPLINE THE  
GRIEVANT. IN LIGHT OF THE EXTRAORDINARY CIRCUMSTANCES  
INVOLVED IN THIS CASE THE ONE DAY SUSPENSION WAS  
TOO SEVERE. THE DISCIPLINARY ACTION IS TO BE REDUCED TO  
A WRITTEN WARNING

Issued at COLUMBUS, OHIO3-7-91  
DateLouis V. Imundo  
Arbitrator's Signature

## BENCH DECISION AND AWARD

Arbitrator: LOUIS V. IMUNDO

State of Ohio

Grievance No. 31-13(11-24-88)39-01-14Department ODOTGrievant E Cecelia BoyerUnion OSEA / AFSCMEDate of Hearing MARCH 7, 1991

Issue(s): DID MANAGEMENT HAVE JUST CAUSE TO DISCIPLINE THE  
GRIEVANT? IF NOT WHAT IS THE APPROPRIATE REMEDY?

## Appearances:

For the Employer: (Advocate) SUSAN M. GRUNDEYFor the Union: (Advocate) JOHN GERSPER

AWARD: THE ARBITRATOR FINDS NO JUST CAUSE FOR DISCIPLINE  
THE GRIEVANT UNDER A-301 #2B OR A-301 #16(A).  
MANAGEMENT HAD JUST CAUSE TO DISCIPLINE THE GRIEVANT  
UNDER A-301 #2(C) AND A-301 #13.

GIVEN THE GRIEVANT'S PAST RECORD AND FACTS PERTAINING  
TO THE INCIDENTS THE THREE DAY SUSPENSION WAS  
PROPER.

Issued at Columbus OHIO3-7-91

Date

Louis V. Imundo  
Arbitrator's Signature