

ARBITRATION SUMMARY AND AWARD LOG

OCB AWARD NUMBER: 610 EX

OCB GRIEVANCE NUMBER: 1) 35-07-900221-0009-01-03
2) 35-16-900302-0010-01-03 3) 35-16-910117-0065-01-03
4) 35-16-910107-0057-01-03

GRIEVANT NAME: 1) WOODS, EVELYN 2) VOLLEY, RICARDO
3) HARRIS, FRANK 4) HURT, THOMAS E.

UNION: OCSEA/AFSCME

DEPARTMENT: YOUTH SERVICES

ARBITRATOR: ALLEN, CRAIG

MANAGEMENT ADVOCATE: RAHR, BRAD

2ND CHAIR: KIRSCHNER, PAUL

UNION ADVOCATE: STEVENSON, RON

ARBITRATION DATE: MAY 30, 1991

DECISION DATE: MAY 30, 1991

DECISION: 1) DENIED 2) DENIED 3) MODIFIED 4) GRANTED

CONTRACT SECTIONS AND/OR ISSUES: 1) ONE DAY SUSPENSION 2) ONE DAY
SUSPENSION; 3) THREE DAY SUSPENSION
4) THREE DAY SUSPENSION

HOLDING: 1) DISCIPLINE JUSTIFIED & REASONABLE 2) GRIEVANT
KNOWINGLY LEFT HIS GROUP UNATTENDED AND FAILED TO INFORM
SUPV.; 3) MR. HARRIS IS A LONG TERM EMPLOYEE, HOWEVER,
DANGER TO YOUTH MUST BE CONSIDERED; 4) GRIEVANT TO BE MADE
WHOLE.

ARB COST: \$253.67

ARBITRATION
BENCH DECISION AND AWARD

#61041

Arbitrator: Craig Allen

State of Ohio

Grievance No. 35-07-190-02-21) 0009
01-03

Department Post Youth Services Grievant Evelyn Woods

Union OCSEA

Date of Hearing May 30, 1991

Issue(s): Was the one day suspension
for just cause

Appearances:

For the Employer: (Advocate) Bradley E Rahr Paul Kirschner

For the Union: (Advocate) Ron Stevenson

AWARD:

I deny the grievance. Both
Legan McVannara and the grievant
testified there was sufficient lighting
at the critical times. There is no doubt
that Legan ended up in another youth's room
on the 3-11 shift. While there is a dispute
in the testimony as to how this happened
I do find Negand of duty. I also find
the discipline to be reasonable.

Issued at

TICO
Columbus, Ohio

Craig Allen
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 15-16103-02-90 18-06
03

Department DYS

Grievant Picardo Volley

Union O CSEA

Date of Hearing May 30, 1991

Issue(s): Was the one day suspension for
just cause?

Appearances:

For the Employer: (Advocate) Brad Rahr Paul Kirschner

For the Union: (Advocate) Ron Stevenson

AWARD: I deny the grievance. But knowingly
left his group unattended and apparently
failed to inform supervision. In addition
he was gone for some length of time. Also
found the door should have been locked.
The evidence is clear that this is the rule
and the fact that an escape occurred
shows why.

Issued at

Tico
Columbus, Ohio

Craig Allen
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No 35-16-C91-81-17 0065-0
23

Department DYS

Grievant Frank R. Horis

Union OCSEA

Date of Hearing May 30, 1991

Issue(s):

Was the three day suspension
for just cause?

Appearances:

For the Employer: (Advocate) Brad Rahr Paul Kirschner

For the Union: (Advocate) Ron Stevenson

AWARD:

I modify the suspension to two
days. I find this case very difficult as both
the protection of the institution and protection
of the family are of paramount importance.
Mr. Horis is a long term employee who did
make more than a little effort to get
replaced and who did arrange an
unapproved coverage. However the danger to
the youth must be considered

Issued at

TICO
Columbus, Ohio

Craig Allen
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 35-16091-07-87 ⁰⁰⁵⁷ 01-03

Department PYS

Grievant Thomas E Hurt

Union OCSEA

Date of Hearing May 30, 1991

Issue(s): Was the three day suspension
for just cause?

Appearances:

For the Employer: (Advocate) Brad Rahr Paul Kinschner

For the Union: (Advocate) Ron Stevenson

AWARD: I uphold the grievance. Both the
grievant and Glenn Keeling testified the grievant
left first. The grievant had good reasons to
go to see Leach in isolation. Watson is
at fault not Hurt. The testimony is
also clear that the total elapsed time of
Hurt's absence was approximately 60 seconds.
I further credit Glenn Keeling's testimony that
there was no signal to Watson to follow
Hurt. As to the failure to report, Don persuaded
that procedure did not follow procedure. I
order that the grievant be made whole.

Issued at TICO
Columbus, Ohio

Craig Allen
Arbitrator's Signature