

ARBITRATION SUMMARY AND AWARD LOG

OCB AWARD NUMBER: 616 EX

OCB GRIEVANCE NUMBER: 1) 27-07-900918-0050-01-03
2) 24-08-901025-0176-01-04
3) 32-00-901113-0215-01-04

GRIEVANT NAME: 1) McCaulley, George 2) Kenerly, Dean
3) Bolsen, Carolyn

UNION: OCSEA/AFSCME

DEPARTMENT: 1) DR&C 2) MR/DD 3) OH VET CHILDRENS HOME

ARBITRATOR: Imundo, Louis

MANAGEMENT ADVOCATE: 1) Lomax, Phil 2) Spain, Jim
3) Johnson, Bill

2ND CHAIR: Johnson, Bill

UNION ADVOCATE: 1) Mayer, Pat 2 & 3) Muenchen, Mike

ARBITRATION DATE: June 18, 1991

DECISION DATE: June 18, 1991

DECISION: 1) DENIED 2) DENIED 3) MODIFIED

CONTRACT SECTIONS
AND/OR ISSUES: 1) ONE DAY SUSPENSION 2) ONE DAY SUSPENSION
3) TWO DAY SUSPENSION

HOLDING: #3) ARBITRATOR REDUCED FROM 2 DAY SUSPENSION TO A WRITTEN
WARNING. TWO DAYS BACK PAY. SUPT. DID NOT HONOR
MANAGEMENT'S OFFER TO RESCIND PRIOR WRITTEN WARNING IF
GRIEVANT SOUGHT COUNSELING.

ARB COST: \$206.07 (\$68.69 ea)

ARBITRATION
BENCH DECISION AND AWARD

616 ef

ARBITRATOR: LOUIS V. JIMUNDO

State of Ohio

Grievance No. 27-07-(9-18-90)-50-01-03

Department DAYTON CORRECTIONAL INSTITUTION

Grievant GERGE McCaulley

Union OCSEA

Date Of Hearing JUNE 18, 1991

Issue (s) : WAS THE GRIEVANT DISCIPLINED FOR JUST CAUSE? IF NOT,
WHAT IS THE APPROPRIATE ACTION

Appearances:

For the Employer: (Advocate) Phillip LOMAX

For the Union: (Advocate) PAT MAYER

AWARD: MANAGEMENT HAD JUST CAUSE TO DISCIPLINE THE GRIEVANT
THE ONE DAY SUSPENSION UNDER RULE 7 WAS PROPER
THERE WAS NO JUST CAUSE FOR VIOLATION OF RULE 3d. VIOLATION
OF RULE 3D IS TO BE DELETED FROM GRIEVANT'S RECORD.

Issued at: HUBER HEIGHTS OHIO

Date: JUNE 18, 1991

Louis Jimundo
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

ARBITRATOR: LOUIS V. TRUNDO

State of Ohio

Grievance No. 24-08(10-25-90)176-01-04

Department MONTGOMERY DEVELOPMENTAL CENTER

Grievant DEAN KENERLY

Union OSEA

Date Of Hearing JUNE 18, 1991

Issue (s) : WAS THE GRIEVANT DISCIPLINED FOR JUST CAUSE?
IF NOT, WHAT IS THE APPROPRIATE REMEDY?

Appearances:

For the Employer: (Advocate) JIM SPAIN

For the Union: (Advocate) MIKE MUENCHEN

AWARD: MANAGEMENT HAD JUST CAUSE TO DISCIPLINE THE
GRIEVANT FOR LATENESS AND FAILURE TO IMPLEMENT ACTIVE
TREATMENT. IN LIGHT OF GRIEVANT'S PAST RECORD AND
SERIOUSNESS OF MISCONDUCT ONE DAY SUSPENSION WAS
APPROPRIATE

Issued at: HUNTER HEIGHTS OHIO

Date: JUNE 18 1991

Louis V. Trundo
Arbitrator's Signature

ARBITRATION
BENCH DECISION AND AWARD

ARBITRATOR: LOUIS V. T. MURDO

State of Ohio

Grievance No. 32-00(11-13-90) 215-01-04

Department OHIO VETERANS CHILDRENS HOME

Grievant CAROLYN BOLSER

Union OSSEA

Date Of Hearing JUNE 18, 1991

Issue (s) : DID MANAGEMENT VIOLATE THE AGREEMENT WHEN THE GRIEVANT WAS SUSPENDED FOR TWO DAYS? IF THE AGREEMENT WAS VIOLATED WAS THE DISCIPLINE FOR JUST CAUSE? IF JUST CAUSE EXISTED WAS THE TWO DAY SUSPENSION APPROPRIATE? IF NOT, WHAT IS THE PROPER REMEDY?

Appearances:

For the Employer: (Advocate) BILL JOHNSON

For the Union: (Advocate) MIKE MUENCHEN

AWARD: MANAGEMENT HAD JUST CAUSE TO DISCIPLINE THE GRIEVANT. IN LIGHT OF MANAGEMENT'S OFFER TO REScind THE PRIOR WRITTEN WARNING IF THE GRIEVANT SOUGHT COUNSELLING, WHICH WAS NOT HONORED BY THE SUPERINTENDENT, AND MANAGEMENT'S FAILURE TO SUBSTANTIATE WHY TWO DAYS WAS APPROPRIATE, THE ARBITRATOR BELIEVES THE TWO DAY SUSPENSION WAS TOO SEVERE. THE DISCIPLINE IS REDUCED TO A SECOND WRITTEN WARNING. THE GRIEVANT HAS BEEN PUT ON NOTICE THAT SHE MUST ABIDE BY THE EMPLOYERS CALL-IN POLICY AND ANY REPETITION OF VIOLATING RULE 2C WILL RESULT IN SEVERE DISCIPLINARY ACTION. THE GRIEVANT IS TO BE PAID FOR THE TWO DAYS AND THIS DISCIPLINE BE CONSIDERED A WRITTEN WARNING

Issued at: HUBER HEIGHTS OHIO

Date: 6-18-91

Louis V. Murdo
Arbitrator's Signature