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IN THE MATTER OF THE ARBITRATION BETWEEN: \*

STATE OF OHIO, DEPARTMENT OF YOUTH SERVICES \*

-AND-

OCSEA/AFSCME, LOCAL 11 \*

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Case No.

35-17(12-23-91)03-  
01-09

#796

ARBITRATOR: Mollie H. Bowers

APPEARANCES:

For the State:

Bradley Rahr, Advocate  
Barry Braverman, Management Representative  
Dirk Daubermire, Management Representative  
Mal Baumgardner  
Steve Curl  
Colon Fink  
Kevin Pressler  
Leo Moore

For the Association:

Sharon Vanmeter Ralph, Advocate  
Robert Steele, Staff Representative  
Clifton Duckson, Grievant  
Larry Cumberlander  
David Rucker

The Hearing was held at 9:00 a.m. on July 21, 1992, in Conference Room B, OCSEA/AFSCME Headquarters, 1680 Watermark Drive, Columbus Ohio. Both parties were represented.

AWARD:

After considering the record in its entirety, the Arbitrator hereby issues the following award:

- 1) The award in this case shall not have standing as precedent in any future hearing. The award shall also not be submitted as evidence or otherwise referred to in any future proceeding;
- 2) The Grievant shall be reinstated to the Department of Youth Services. He shall, however, be demoted from the position of Youth Leader Specialist to the

the position of Youth Leader. He shall not be returned to the Freedom Center. Rather, the Grievant shall be placed at one of the five Department of Youth Services facilities in Central Ohio;

- 3) The Grievant shall receive back pay at the Youth Leader Specialist level for one-half (1/2) the period he has been off work due to termination. The remainder of the time shall be treated as a suspension; and
- 4) The Grievant shall suffer no loss of other benefits or of seniority for the period of time he was not suspended.

Mallie H. Bowers  
ARBITRATOR

July 22, 1992  
DATE