

ARBITRATION  
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 27-25(91/12/091-271-01-03

Department Corrections

Grievant Willis Holbrook

Union AFSCME

Date of Hearing October 22, 1992

Issue(s): Was the 5 day suspension for just cause?

Appearances:

For the Employer: (Advocate) Ted Duerke, Labor Relations Off  
George Bukaw, OCB

For the Union: (Advocate) Wm Dargatz  
Charles Williamson, Chief Steward

AWARD: I uphold the grievance in part and reduce to a written reprimand. The poor judgment part of Rule 9 is applicable. I am impressed with the Det's record and his testimony that he has done this off and on for 14 yrs without a reprimand. CPT Potts evaluation shows Det to be very security minded and ties in w/ his record. While the Det's behavior may not be acceptable a long term employee is entitled to be advised of such a change of policy prior to severe discipline

Issued at SOCF  
Lucasville, Ohio

Craig Allen  
Arbitrator's Signature

ARBITRATION  
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 27-25-(9/10/92) 260-01-B

Department Corrections

Grievant Eugene Wilburn

Union AFSCME

Date of Hearing October 27, 1992

Issue(s): Was the 5 day suspension for just cause?

Appearances:

For the Employer: (Advocate) Ted Duekee Labor Relations  
Georgia Burkaw, DCB

For the Union: (Advocate) Wm Saragat  
Charles Williamson, Chief Steward

AWARD: I uphold the grievance in part and reduce to a 3 day suspension. I am not impressed with the fact that "everybody does it." Discrimination of all kinds is justified by "everybody does it." Discrimination is forbidden by all laws and all rules and procedures. The use of fighting words such as "Nigger", etc in a tension filled room can be dangerous. Considering the circumstances I find three days appropriate.

Issued at SOCF  
Louisville, Ohio

Craig Allen  
Arbitrator's Signature

BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 27-2569/11/2/195273-04-03

Department Corrections

Grievant James Stonley

Union AFSCME

Date of Hearing October 22, 1992

Issue(s): Was the 5 day suspension for just cause?

Appearances:

For the Employer: (Advocate) Ted Durkee Labor Relations  
Georgia Bertau, OCB

For the Union: (Advocate) Don Dargatz  
Charles Williamson - witness, Chief Steward

AWARD: I uphold in part and reduce to a written  
reprimand. It is very important that the  
incident took place "off the payroll" and on a  
public phone. The employer has certain  
control over off duty behavior but not as  
much as on duty. The DUT has paid his  
fine and sought counseling and admitted  
his mistake.

Issued at SOCK  
Louisville, Ohio

Craig Allen  
Arbitrator's Signature

ARBITRATION  
BENCH DECISION AND AWARD

Arbitrator: Craig Allen

State of Ohio

Grievance No. 2725-91209-0268-01-03

Department Corrections

Grievant Marcella McGraw

Union AFL-CIO

Date of Hearing October 22, 1992

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

Appearances:

For the Employer: (Advocate) Georgia Brokaw  
Thomas Edouksee

For the Union: (Advocate) Wm Sargent  
Charles Williamson, Chief Steward

**AWARD:** I deny the grievance. I find one day is fair in light of the Det's work record and the seriousness of the offense. I find three facts hurt Det's case. 1) Knowledge rest room was used by visitors 2) Det. she knew I fell and parked it up 3) three hours before discovery. The mail room contains weapons as well as money and confidential information. The proximity of rest room, mail room, and visiting room also concerned me.

Issued at SOCF  
Murresville, Ohio

Craig Allen  
Arbitrator's Signature