

ARBITRATION BENCH DECISION AND AWARD

Arbitrator: TONAS

State of Ohio

Grievance No. 29-04-93 05 2401Department RSCGrievant Jeff Harper 740HUnion OCSEA

Date of Hearing _____

Issue(s): 1 day suspension
sexual harassment

Appearances:

For the Employer: (Advocate) DARLA J. BYRNS
PAT MORGANFor the Union: (Advocate) JENNY WORDEN
CHARON RALPH - ~~MODERATOR~~
OBSERVERAWARD:

The 1 day suspension is reduced to a $\frac{1}{2}$ day suspension because the employee who was offered was not visible to ^{Graves} ~~her~~ and he did not know she would overhear remark. On the other hand the remark was sexually offensive and should not be used publicly where others might hear it.

Issued at Col OhioDate 1-24-92
Jonas B Keel
 Arbitrator's Signature

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 944 Expedited

OCB GRIEVANT NUMBER: 29-04-930524-0174-01-14

GRIEVANT NAME: Jeff Harper

UNION: OCSEA/AFSCME

DEPARTMENT: Rehabilitation Services

ARBITRATOR: Jonas Katz

MANAGEMENT ADVOCATE: Darla Burns

2ND CHAIR: Pat Mogan

UNION ADVOCATE: Jenny Worden

ARBITRATION DATE: January 24, 1994

DECISION DATE: January 24, 1994

DECISION: Modified

**CONTRACT SECTIONS
AND/OR ISSUES:** The Grievant was given a one day suspension for sexual harassment following an incident in which the Grievant made remarks offensive to another employee.

HOLDING: The Arbitrator felt that the Grievant's remarks were offensive but the Arbitrator pointed out that the employee that was offended by these remarks was not in view of the Grievant. The Grievant's remarks were not intended to be heard by the other employee but these remarks should not be used in a public place. The Arbitrator reduced the suspension to one half of a day.

ARB COST: \$

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For the Employer: (Advocate) DAKIA J. BURNS
PAT MOGAN

For the Union: (Advocate) JENNY NORDEN
(SHARON RALPH - ~~MODERATOR~~ OBSERVER)

AWARD: _____

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