

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 979 Expedited

OCB GRIEVANT NUMBER: 1.) 23-18-931012-0982-01-05
2.) 23-18-931020-0987-01-04

GRIEVANT NAME: 1.) Patrick Okpara
2.) Debra Wissmar

UNION: OCSEA/AFSCME

DEPARTMENT: Mental Health

ARBITRATOR: Craig Allen

MANAGEMENT ADVOCATE: 1.) Brian Walton
2.) Cindy Sovell

2ND CHAIR: 1.) Cindy Sovell
2.) Brian Walton

UNION ADVOCATE: Robbie Robinson

ARBITRATION DATE: June 14, 1994

DECISION DATE: June 14, 1994

DECISION: 1.) Modified
2.) Denied

CONTRACT SECTIONS AND/OR ISSUES: 1.) The Grievant was given a six day suspension for Failure of good behavior for two incidents in which the grievant used abusive and threatening language to a co-worker and a supervisor.

2.) The Grievant was given a six day suspension for Failure of good behavior/verbal abuse for an incident in which the Grievant got into a verbal altercation with a co-worker.

HOLDING: 1.) The Arbitrator felt that the Employer did not provide sufficient evidence to prove both charges but there was sufficient evidence to prove the charges of threatening his supervisor. The suspension was reduced to a two day suspension.

2.) The Arbitrator felt that it was clear that the Grievant started the altercation. The Arbitrator also pointed out that the other participant in the altercation also received discipline so disparate treatment does not apply.

ARB COST: \$

BENCH DECISION AND AWARD

Arbitrator Craig Allen

State of Ohio

Grievance No. 23-18-931012-0982-01-05

Department Mental Health

Grievant Patrick Okpara

Union AFSCME

Date of Hearing June 14, 1994

Issue(s): Was the 6 day suspension for
just cause?

Appearances:

For the Employer: (Advocate) Brian D. Walters

Cynthia Swell

For the Union: (Advocate) Robert Robinson

AWARD: I uphold the grievance in part and reduce to a
3 day suspension. I find insufficient evidence
concerning the Aug 9 phone call and that charge
is dismissed. I find there is evidence that Pat did not
obey a supervisors order and that there was a threat
to a supervisor

Issued at Western Reserve

June 14, 1994

Date

Craig Allen
Arbitrator's Signature

BENCH DECISION AND AWARD

Arbitrator Craig Allen

23-18-931020-987-01-04

State of Ohio

Grievance No. ~~2203 931116-0401-01~~ 5

Department Mental Health

Grievant Debra Williams

Union AFSCME

Date of Hearing June 14, 1994

Issue(s): Was the 6 day suspension for
just cause?

Appearances:

For the Employer: (Advocate)

Cynthia J. Sovell
Brian D. Walton

For the Union: (Advocate)

Robert Robinson

AWARD:

I deny the grievance. There was an altercation
and it is clear that Deb started it. Mrs Williams
was disciplined on the same day for a related if
not the same incident. The discipline is in
line w the institutions directives and the sets
prior discipline

Issued at Western Reserve

Craig Allen
Arbitrator's Signature

June 14, 1994

Date