

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 985 Expedited

OCB GRIEVANT NUMBER: 1.) 27-04-940310-0012-01-03
2.) 27-22-931203-0229-01-06

GRIEVANT NAME: 1.) William Covington
2.) Stan Bielski

UNION: OCSEA/AFSCME

DEPARTMENT: Rehabilitation and Correction

ARBITRATOR: David Pincus

MANAGEMENT ADVOCATE: Roger Coe

2ND CHAIR: Don McMillen

UNION ADVOCATE: Brenda Goheen

ARBITRATION DATE: July 11, 1994

DECISION DATE: July 11, 1994

DECISION: 1.) Modified
2.) Denied

**CONTRACT SECTIONS
AND/OR ISSUES:** 1.) 10 day suspension
2.) 3 day suspension

HOLDING: 1.) The Arbitrator felt that the Employer had just cause for discipline but a 10 day suspension was too severe. The Arbitrator reduced the suspension to a 5 day.

2.) The Arbitrator felt that the discipline issued was commensurate and progressive. The Employer had just cause for discipline.

ARB COST: \$

BENCH DECISION AND AWARD

Arbitrator Dr. David M. Pincus

State of Ohio

Grievance No. 27-04-(940310)-0012-01-03

Department Department of Rehabilitation
+ Corrections.
Union OCSEA

Grievant William Covington

Date of Hearing 7/11/94

Issue(s): Was the discipline imposed for
just cause? If not, what shall
the remedy be?

Appearances:

For the Employer: (Advocate) Roger CoE

For the Union: (Advocate) Brenda Passinger

AWARD:


The discipline was not imposed for
just cause, although ~~the~~ some form of
discipline was appropriate. The ten (10) day
suspension shall be modified and converted
to a five (5) day suspension. The Grievant
shall have 5 days pay reinstated, less appropriate
deductions and shall be made whole with
terms of other appropriate benefits.

Issued at

PCI

7/11/94

Date


Arbitrator's Signature

BENCH DECISION AND AWARD

Arbitrator Dr. Paul M. Pircus

State of Ohio

Grievance No. 27-22-(14/3/93)-0229-0101

Department Department of Rehabilitation & Corrections

Grievant Stan Bielski

Union OCSEA

Date of Hearing 7/11/94

Issue(s): Will the Employer have just cause to suspend the Grievant for carelessness ^{or negligence} ~~in~~ resulting in loss of money and time, or delay in work production including state vehicles? If not what should the remedy be

Appearances:

For the Employer: (Advocate) Roger Cole

For the Union: (Advocate) Brenda Pessinger

AWARD: The discipline in this instance was for just cause. The Grievant engaged in a careless and negligent act by failing to follow proper procedures. The discipline, moreover, is commensurate with the offense in that it follows proper progression based on the existing disciplinary actions in the Grievant's disciplinary file.

Issued at PCI
7/11/94
Date

[Signature]
Arbitrator's Signature