

**ARBITRATION SUMMARY AND AWARD LOG**  
**OCB AWARD NUMBER: 1005 Expedited**

**OCB GRIEVANT NUMBER:** 1.) 09-00-930817-0053-01-09  
2.) 35-02-930929-0107-01-03

**GRIEVANT NAME:** 1.) Mary Anderson  
2.) John Holland

**UNION:** OCSEA/AFSCME

**DEPARTMENT:** 1.) Development  
2.) Youth Services

**ARBITRATOR:** Dwight Washington

**MANAGEMENT ADVOCATE:** 1.) Brian Walton  
2.) Brad Rahr

**2ND CHAIR:** 1.) Rachel Livengood  
2.) Georgia Brokaw

**UNION ADVOCATE:** 1.) Maxine Hicks  
2.) Marva McCall

**ARBITRATION DATE:** October 4, 1994

**DECISION DATE:** October 4, 1994

**DECISION:** 1.) Denied  
2.) Denied

**CONTRACT SECTIONS AND/OR ISSUES:** 1.) 1 day suspension  
2.) 5 day suspension

**HOLDING:** 1.) The Arbitrator felt the Grievant failed to follow the procedures in Section 11.03 for reporting an unsafe condition. The Grievant's overreaction warranted the discipline.

2.) The Arbitrator felt that the facsimile submitted by the Grievant did not serve as proper notification of leave. The Grievant knew the proper call-in procedures but chose not to follow them.

**ARB COST:** \$

BENCH DECISION AND AWARD

Arbitrator WASINGTON, Dwight

State of Ohio

Grievance No. \_\_\_\_\_

Department OF DEVELOPMENT

Grievant MARY ANDERSON

Union \_\_\_\_\_

Date of Hearing OCTOBER 4, 1999

Issue(s): WAS THE GRIEVANT, MARY ANDERSON, DISCIPLINED FOR JUST CAUSE? IF NOT, WHAT SHALL THE REMEDY BE.

Appearances:

For the Employer: (Advocate) BRIAN WALTON - OCB

For the Union: (Advocate) MAXINE S. HICKS - OCEBA

**AWARD:** IT IS UNDISPUTED THAT THE GRIEVANT FAILED TO FOLLOW THE PROCESS IN ARTICLE 11.03 IN PROMPTLY REPORTING A POTENTIAL UNSAFE CONDITION. EVEN IF THE INITIAL REMOVAL OF THE WALLPAPER COULD BE JUSTIFIED AS LIMITED INSPECTION, ITS MY OPINION THAT THE CONDUCT IN PEELING THE WALLPAPER BACK UNTIL IT WENT ALL THE WAY TO THE CEILING JUSTIFIES THE IMPOSITION OF THE DISCIPLINE IN THIS MATTER. THEREFORE, THE GRIEVANT'S DENIED AND DISCIPLINE WAS APPROPRIATE IN THIS CASE.

Issued at Columbus, Ohio

[Signature]  
Arbitrator's Signature

10-4-99  
Date

BENCH DECISION AND AWARD

Arbitrator WASHINGTON, DWIGHT

State of Ohio  
Department OF YOUTH SERVICES  
Union O.C.S.B.A.  
Grievance No. 35-02(09-24-93) 107-01-03  
Grievant HOLLAND, JOHN  
Date of Hearing OCTOBER 9, 1999  
Issue(s): WAS THE FIVE (5) DAY SUSPENSION FOR JUST CAUSE,  
AND IF NOT, WHAT SHALL THE REMEDY BE?

Appearances:

For the Employer: (Advocate) BRADLEY E. RAHR

For the Union: (Advocate) MARVA McCALL

**AWARD:** THE GRIEVANT WAS WELL AWARE OF THE CALL-IN PROCEDURES  
TO FOLLOW TO REQUEST EMERGENCY VACATION LEAVE. THE FACSIMILE SUB-  
MITTED BY THE GRIEVANT DID NOT SERVE AS PROPER NOTICE UNDER  
THESE CIRCUMSTANCES. BASED UPON THE PRIOR CONDUCT OF THE  
GRIEVANT, THE IMPOSITION OF THE DISCIPLINE IN THIS MATTER  
IS UPHOLD. GRIEVANTS DENIED.

Issued at COLUMBUS, OHIO  
10-7-99  
Date

[Signature]  
Arbitrator's Signature