

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 1016 Expedited

OCB GRIEVANT NUMBER: 31-13-940308-0014-01-09-S

GRIEVANT NAME: Mike Wright

UNION: OCSEA

DEPARTMENT: Transportation

ARBITRATOR: Dwight Washington

MANAGEMENT ADVOCATE: Nick Nicholson

2ND CHAIR: Sharon Hilliard

UNION ADVOCATE: John Gersper

ARBITRATION DATE: December 8, 1994

DECISION DATE: December 8, 1994

DECISION: Denied

**CONTRACT SECTIONS
AND/OR ISSUES:** Article 24. Was the 10 day suspension for just
cause?

HOLDING: The Arbitrator found that the Grievant was
engaged in "loose-play" by spraying a clear
solution at another employee. Given the previous
discipline record of the Grievant the 10 day
suspension was affirmed.

ARB COST: -

ARBITRATION BENCH DECISION AND AWARD

Arbitrator: WASHINGTON DWIGHT A.

State of Ohio

Grievance No. 31-13-940308-0019-01-095Department TRANSPORTATIONGrievant MIKE WRIGHTUnion OCSEADate of Hearing 12-8-94

Issue(s): WAS THE GRIEVANT MICHAEL WRIGHT SUSPENDED
FOR TEN (10) DAYS FOR JUST CAUSE? IF NOT,
WHAT SHALL THE REMEDY BE?

Appearances:

For the Employer: (Advocate) NICK NICHOLSON - LABOR
RELATIONS SPECIALIST

For the Union: (Advocate) JOHN GERSPER - OCSEA
STAFF

AWARD: THE EVIDENCE INDICATES THAT THE GRIEVANT
ON DECEMBER 7, 1993 SPRAYED A CLEAR SOLUTION
AT ANOTHER EMPLOYEE. THE SOLUTION MAY HAVE BEEN
WATER OR SOMETHING MORE HAZARDOUS. THE ARBITRATOR
FINDS THAT THE GRIEVANT WAS ENGAGED IN "HORSE-PLAY"
AND THE TEN (10) DAY SUSPENSION WITHOUT PAY
IS AFFIRMED, TAKING INTO CONSIDERATION THE PREVIOUS
DISCIPLINE RECORD OF THE GRIEVANT

Columbus, Ohio
 Issued at

Date

12-8-94


 Arbitrator's Signature