

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 1031 Expedited

OCB GRIEVANT NUMBER: 1) Micheal Venrick
2) Armando Lasoya

GRIEVANT NAME: 1) 27-13-940613-0821-01-03
2) 27-11-940726-0843-01-03

UNION: OCSEA

DEPARTMENT: Rehabilitation and Correction

ARBITRATOR: Craig Allen

MANAGEMENT ADVOCATE: 1) Drew Hildebrand
2) Phil Lomax

2ND CHAIR:

UNION ADVOCATE: Patrick Mayer

ARBITRATION DATE: March 3, 1995

DECISION DATE: March 3, 1995

DECISION: 1) Denied
2) Modified

**CONTRACT SECTIONS
AND/OR ISSUES:** Article 24, Discipline.

HOLDING: 1) The grievant was issued discipline the previous month for violation of Work Rule #8. The Arbitrator felt the grievant was given a direct order to get a haircut.
2) The grievance was reduced to a five day suspension because the Arbitrator found no violation of Work Rule #39. The Arbitrator noted that the short term employee had a 3 day suspension for a similiar infraction.

ARB COST: \$

BENCH DECISION AND AWARD

Arbitrator Craig Allen

State of Ohio

Grievance No. 2713(6.13.94)821.01.03

Department Corrections

Grievant MICHAEL KENZAK

Union OCSA

Date of Hearing March 3, 1995

Issue(s): was the 1 day suspension
for just cause?

Appearances:

For the Employer: (Advocate) F. ANDREW (DREW) HILDEBRAND

For the Union: (Advocate) Patrick A. Mayer

AWARD: I deny the grievance. The grievant
has had a prior discipline for violation
of Rule 8. I am satisfied Lt/Cpt Coyle had
given him a lawful order to get a haircut.
I have no jurisdiction to decide an
issue with a prior discipline the previous

Issued at London CI

Craig Allen
Arbitrator's Signature

March 3, 1995
Date

month it would appear but should have
lived on the side of caution.

BENCH DECISION AND AWARD

#1031

Arbitrator Craig Allen

State of Ohio

Grievance No. 27-11-7-26-94-843-01-03

Department Corrections

Grievant Armando Lasoya

Union CCSEA

Date of Hearing March 3, 1995

Issue(s): Was the 7 day suspension for
just cause?

Appearances:

For the Employer: (Advocate) Philip R. Lamer

For the Union: (Advocate) Patrick A. Mayer
David Justus

AWARD:

I uphold the grievance in part and
reduce to a 5 day suspension. I do not
find a Rule 39 violation. I find it difficult
to deal with the fact that the Dist could
have refused the inmates the food. However
there is no evidence that the situation

Issued at London CI

Craig Allen
Arbitrator's Signature

March 3, 1995
Date

required such immediate action that he
couldn't have taken a few moments to
spit elsewhere. I find it important that
this short term employee has had a
3 day suspension for violation of a
similar rule. The But is conceded that he
doesn't think writing tickets is effective
but But has to follow the rules and
Post Orders as do others