

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 1076 Expedited

OCB GRIEVANT NUMBER: 1) 27-11-940805-0257-01-03
2) 27-07-940711-0304-01-03
3) 27-07-940613-0301-01-03
4) 27-11-940805-0256-01-03
5) 27-11-940313-0248-01-03

GRIEVANT NAME: 1) Thomas Wyatt
2) Ronald Bolds
3) Thomas Metens
4) L.C. Taylor
5) Dennis Thomas

UNION: OCSEA

DEPARTMENT: Rehabilitation & Correction

ARBITRATOR: Craig Allen

MANAGEMENT ADVOCATE: Colleen Wise

2ND CHAIR: Phil Lomax

UNION ADVOCATE: Mike Hill

ARBITRATION DATE: September 8, 1995

DECISION DATE: September 8, 1995

DECISION: 1) Modified
2) Modified
3) Modified
4) Modified
5) Granted

**CONTRACT SECTIONS
AND/OR ISSUES:** 1) Ten day suspension.
2) Three day suspension.
3) Three day suspension.
4) Three day suspension.
5) Five day suspension.

HOLDING: 1) Reduced to a seven day and received 3 days
straight time.
2) Reduced to a one day and received 2 days pay.
3) Reduced to a one day due to mitigating
circumstances from his medication.
4) Reduced to a one day due to conflict in the
testimony.
5) The five day suspension was removed due to
managements failure to provide testimony on the
call in for the date in question and
documentation on the leave request.

BENCH DECISION AND AWARD

ARBITRATOR:

Craig Allen

HEARING DATE:

Sept 8, 1995

GRIEVANT:

Thomas Wyatt

GRIEVANCE #:

27-1169408053254-01-03

DEPARTMENT:

Corrections

UNION:

O CSEA

MANAGEMENT
ADVOCATE:

Colleen

UNION

ADVOCATE: Mike Hill

ISSUE

Was the discipline for Just
cause?

AWARD

The discipline is reduced from
10 days to seven days and said
3 days will be 24 hours straight
time as compensatory time

ISSUED AT:

DATE:

Dayton CI

ARBITRATOR'S
SIGNATURE:

Craig Allen

BENCH DECISION AND AWARD

ARBITRATOR:

Craig Allen

HEARING DATE:

Sept 8, 1995

GRIEVANT:

Ronald Bolts

GRIEVANCE #:

27-0769407, 1304-01-03

DEPARTMENT:

Correction

UNION:

OCSE A AFSCME

MANAGEMENT
ADVOCATE:

Colleen Wise

UNION

ADVOCATE:

Mike Hill

ISSUE

Was the discipline for just
cause?

AWARD

The discipline is reduced from
3 days to one day and B.I.T. shall
be given two days pay

ISSUED AT:

DATE:

Dayton OH

ARBITRATOR'S
SIGNATURE:

Craig Allen

BENCH DECISION AND AWARD

ARBITRATOR: Craig Allen

HEARING DATE: September 8, 1995

GRIEVANT: Thomas Matens

GRIEVANCE #: 27-07-940613-0301-01-03

DEPARTMENT: Corrections

UNION: SCSEA AFSCME

MANAGEMENT
ADVOCATE: Jeff E. Sykes Jr.UNION
ADVOCATE: Michael A. Zell**ISSUE**

Was the three day suspension for
just cause? If not what should remedy be?

AWARD

I uphold the grievance in part and
reduce to a one day suspension. He but
has no prior discipline and has some
mitigation due to his medicine. I was
impressed by disparate treatment as
it would seem that if right thought
but should be given 2 days CC Robinson
should have been given a written
reprimand or a one day suspension

ISSUED AT: Dayton CI
DATE:ARBITRATOR'S
SIGNATURE:

BENCH DECISION AND AWARD

ARBITRATOR: Craig Allen

HEARING DATE: Sept 8, 1995

GRIEVANT: L. C. Taylor

GRIEVANCE #: 27-11-940505-0256-0103

DEPARTMENT: Corrections

UNION: OCSA AFSCME

MANAGEMENT
ADVOCATE: Phil SmartUNION
ADVOCATE: [Signature]**ISSUE**

Was discipline for just cause? Was the
3 day suspension the proper remedy?

AWARD

I uphold the grievance in part and reduce
to a one day suspension. While there is a
direct conflict in the testimony, Mrs Durham's
agitated state lends some credence to her testi-
mony. However the EEO report as well as
statements from witnesses in the Joint
Exhibit shows that Burton and Durham had
had a good relationship including taking
meals together and Mrs Durham also teaching

ISSUED AT:
DATE: Dayton OHARBITRATOR'S
SIGNATURE: Craig Allen

BENCH DECISION AND AWARDARBITRATOR: *Craig A Allen*HEARING DATE: *Sept 8, 1995*GRIEVANT: *Dennis Thomas*GRIEVANCE #: *27-11-(313)1941-24801-03*DEPARTMENT: *Corrections*UNION: *OCSEA AFSCME*MANAGEMENT ADVOCATE: *Colleen Wise*UNION ADVOCATE: *Mike Hill***ISSUE**

*Was the 5 day suspension for
just cause?*

AWARD

*I uphold the grievance. I can find no explanation
for the call-in slips except D's denial
that he said his truck wouldn't start
Dut has D's statements for the days in question
I am not impressed with D's failure to
try to correct his sick leave request when it
was returned but he denies that he wrote
in "flu" and said his D's reports
were attached but has failed to meet its burden*

ISSUED AT: *Doxton CI*
DATE:ARBITRATOR'S
SIGNATURE:*Craig Allen*

since there is no testimony as to the collision
other than what ordinarily happens and
no testimony to refute his denial as to
writing sick on his leave form.