

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 1132 Expedited

OCB GRIEVANT NUMBER: 1) 27-23-950615-0373-01-03
2) 27-25-950925-0957-01-03
3) 27-25-951115-0991-01-03

GRIEVANT NAME: 1) Jon Maxson
2) Tonya Porter
3) Edwin H. Benner

UNION: OCSEA

DEPARTMENT: Rehab and Correction

ARBITRATOR: Craig A. Allen

MANAGEMENT ADVOCATE: 1) Floyd Dickens
2,3) Patrick Mayer

2ND CHAIR: Heather Reese

UNION ADVOCATE: Don Sargent

ARBITRATION DATE: May 14, 1996

DECISION DATE: May 14, 1996

DECISION: 1) Denied
2) Modified
3) Denied

**CONTRACT SECTIONS
AND/OR ISSUES:** 1) 2 Day Suspension
2) 1 Day Suspension
3) 1 Day Suspension

HOLDING: 1) Discipline was progressive and fair.
2) A written reprimand is fair for the offense.
3) Discipline was fair.

BENCH DECISION AND AWARD

ARBITRATOR: Craig Allen

HEARING DATE: May 14, 1996

GRIEVANT: Edwin H. Benner

GRIEVANCE #: 27.25.(95-11-15)-0991-01-23

DEPARTMENT: Corrections

UNION: OCSEA

MANAGEMENT
ADVOCATE: Patrick MAVERUNION
ADVOCATE: Wm Sargent**ISSUE**

Was the discipline for just cause? If
not what should the remedy be?

AWARD

I deny the grievance. Det testified he
saw CO Kuper and Im on floor and also
saw Im restrained. The rules require witnesses
to file reports under these circumstances.
Det is a long term employee with good
evaluations and management seems to have
taken this into account

ISSUED AT:
DATE: SOCFARBITRATOR'S
SIGNATURE: Craig Allen

BENCH DECISION AND AWARD

ARBITRATOR: Craig Allen

HEARING DATE: May 14, 1996

GRIEVANT: Jon MAXSON

GRIEVANCE #: 27-25-(16/15/95)373-01-63

DEPARTMENT: Corrections

UNION: OCSEA

MANAGEMENT ADVOCATE: Floyd Dickens III

UNION ADVOCATE: Wm Doughty

ISSUE

Was the discipline for just cause?

AWARD

I deny the grievance. The union conquire the AWOL - leave time dispute under 25.01 (B) and has some merit in this argument. Management however has spent considerable time with this short term employee with counseling and progressive discipline. I find the discipline to be fair and progressive

ISSUED AT:
DATE: SOCFARBITRATOR'S
SIGNATURE: Craig Allen

BENCH DECISION AND AWARDARBITRATOR: *Craig Allen*HEARING DATE: *May 14, 1996*GRIEVANT: *Imaya Porter*GRIEVANCE #: *27-25-(95-09-25)-957-01-013*DEPARTMENT: *Corrections*UNION: *OCS 87*MANAGEMENT ADVOCATE: *Patrick Mayer*UNION ADVOCATE: *Wm Sargent***ISSUE***Was the discipline for just cause?***AWARD**

I uphold the grievance in part and reduce to a written reprimand. The Det testified she called the In up and checked him against her roster. The major testified she would not necessarily have known all the inmates personally. The Chief Steward testified that CO Rinehart got counseling first and W/R the second time. While mgmt asserts this was pre-not, the Chief Steward testified CO Melvins case was

ISSUED AT: *SOCF*
DATE:ARBITRATOR'S SIGNATURE: *Craig Allen*