

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: 1157 Expedited

OCB GRIEVANT NUMBER: 27-22-951211-0299-01-03

GRIEVANT NAME: Shevelle Kiah

UNION: OCSEA

DEPARTMENT: Rehabilitation & Corrections

ARBITRATOR: David M. Pincus

MANAGEMENT ADVOCATE: James Spain

2ND CHAIR: Brian Walton

UNION ADVOCATE: Bob Goheen

ARBITRATION DATE: August 16, 1996

DECISION DATE: August 16, 1996

DECISION: Denied

**CONTRACT SECTIONS
AND/OR ISSUES:** 1 Day Suspension

HOLDING: The employer had just cause to suspend the grievant.

COST:

BENCH DECISION AND AWARD

ARBITRATOR: David M. Pincus	HEARING DATE: 9/16/96
GRIEVANT: STEUELLE KIAH	GRIEVANCE #: 27-22(12/13/95)299-01-03
DEPARTMENT: ORC	UNION: OLSA
MANAGEMENT ADVOCATE: James C. Spain	UNION ADVOCATE: Bob Goheen

ISSUE

Was there just cause to suspend the Grievant, Steuelle Kiah? If not what shall the remedy be?

AWARD

The Employer had just cause to suspend the Grievant for one day. Nothing in the record properly supports the union's contention that a verbal counseling was in order based on the facts surrounding the presently disputed matter and the grievant's previous disciplinary record. If anything, we might view the presently imposed penalty as too lenient based on the grievant's 2 prior incidents of attendance related misconduct, dealing with a written and a 1 day suspension. The Grievant, however, realized a five day suspension which was active in her file for a non-attendance related offense at the time of the presently disputed infraction.

Based on the above, including an impartial review of the record, the grievance is denied.

ISSUED AT:
DATE: Pickaway

ARBITRATOR'S
SIGNATURE: 