

BENCH DECISION AND AWARD

ARBITRATOR: Craig Allen

HEARING DATE: December 12, 1996

GRIEVANT: Roxanna Gootee

27-19(11-13-95) 772-01-03
27-19(12-5-96) 778-01-03
GRIEVANCE #: 27-19(13-11-96) 773-01-03

DEPARTMENT: Corrections

UNION: O C S E A

MANAGEMENT ADVOCATE: Anne Bumen

UNION ADVOCATE: George L. Yates

ISSUE

Was The discipline for just cause?

AWARD

I deny all three grievances. The Dets record shows a history of the same or similar problems prior to the incident with her daughter. Mgmt has no control over events outside the work place and their impact on employees. I find mgmt was reasonable and took into account Dets problems in imposing discipline

ISSUED AT: ORW Mansville,
DATE: Ohio

ARBITRATOR'S SIGNATURE: Craig Allen

BENCH DECISION AND AWARD

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| ARBITRATOR: Craig Allen | HEARING DATE: December 12, 1996 |
| GRIEVANT: Norman Saunders | GRIEVANCE #: 57-19 (3-20-96) #1-01-06 |
| DEPARTMENT: Corrections | UNION: OCSEA |
| MANAGEMENT ADVOCATE: David Buner | UNION ADVOCATE: George L. Yerke |

ISSUE

Was the discipline for just cause?

AWARD

I deny the grievance. Under both federal and state law mgmt has an affirmative duty to prevent acts of discrimination in the work place. If mgmt ignores this the fines and other penalties against the institution can be severe. I have considered the unions disparate treatment argument but in this area seniority makes a big difference in penalties. Since the case testified to by the

ISSUED AT: ^{DEW} Mansfield, Ohio
 DATE:

ARBITRATOR'S SIGNATURE: Craig Allen

#1175

BENCH DECISION AND AWARD

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| ARBITRATOR: <i>Craig A Allen</i> | HEARING DATE: <i>December 2, 1996</i> |
| GRIEVANT: <i>James W Pritchard</i> | GRIEVANCE #: <i>27-19 (4117196) 806-0 1-06</i> |
| DEPARTMENT: <i>Corrections</i> | UNION: <i>O CSEA</i> |
| MANAGEMENT ADVOCATE: <i>David G Bunn</i> | UNION ADVOCATE: <i>George L Yates</i> |

ISSUE

Was the discipline for just cause?

AWARD

I deny the grievance. Inqurts evidence from Larry Tibbels that got redacted a direct order is uncontradicted. There is also no evidence that Sgt was unable to do his job. I find the discipline progressive

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| ISSUED AT: <i>Marysville OR WA</i> | ARBITRATOR'S SIGNATURE: <i>Craig A Allen</i> |
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