

**ARBITRATION SUMMARY AND AWARD LOG**

**OCB AWARD NUMBER: 2014 Expedited**

1214

**OCB GRIEVANT NUMBER:**

- 1) 27-19-960528-0851-01-03
- 2) 27-19-960924-0894-01-03
- 3) 27-19-960514-0821-01-03

**GRIEVANT NAME:**

- 1) Jerry Bethel
- 2) Rory Brown
- 3) Lisa Farr

**UNION:**

OCSEA

**DEPARTMENT:**

1,2,3) Rehab & Corrections

**ARBITRATOR:**

Craig Allen

**MANAGEMENT ADVOCATE:**

1,2,3) David Burrus

**2ND CHAIR:**

John McNally

**UNION ADVOCATE:**

1,2,3) George Yekes

**ARBITRATION DATE:**

July 22, 1997

**DECISION DATE:**

July 22, 1997

**DECISION:**

- 1) Upheld
- 2) Denied
- 3) Case Continued

**CONTRACT SECTIONS**

- 1) 1 Day Suspension
- 2) 3 Day Suspension
- 3) 5 Day Suspension

**HOLDING:**

- 1) Grievant was not suspended for just cause. Arbitrator Allen found the Grievant to be believable His Physician's statements supported his testimony of receiving treatment on the day in question.
- 2) Grievant was suspended for just cause. The discipline received was progressive under the Standards of Conduct.
- 3) The Employer presented their argument. Both parties agreed that the Union shall have 30 days to present its case or it will be dismissed.

**ARB COST :**

## BENCH DECISION AND AWARD

ARBITRATOR: Craig A Allen

HEARING DATE: July 23, 1997

GRIEVANT: Rory Brown

GRIEVANCE #: 27-1909-12-96894-01-03

DEPARTMENT: corrections

UNION: DCSEA

MANAGEMENT  
ADVOCATE:

A. Bunker

UNION  
ADVOCATE:

George Yanes

### ISSUE

Was the three day suspension for  
just cause?

### AWARD

I deny the grievance. Sgt testified that the inmates were to be in their bunks. Inmate De Costa was apparently able, unobserved by the Sgt, to go to the rec room and talk to officer Pinyard. As a 7 year employee officer Pinyard knows how serious this charge is and has no apparent reason to say so untruthfully. The discipline is progressive under the Standards of Conduct.

ISSUED AT:

DATE:

92W Mansville,  
July 23, 1997 Ohio

ARBITRATOR'S  
SIGNATURE:

Craig Allen

## BENCH DECISION AND AWARD

ARBITRATOR: *Craig Allen*

HEARING DATE: *July 22, 1997*

GRIEVANT: *Jerry Bethel*

GRIEVANCE #: *27-1965-28-96J 851-0103*

DEPARTMENT: *Corrections*

UNION: *OCSEA*

MANAGEMENT  
ADVOCATE: *J. Burns*

UNION  
ADVOCATE: *George Yates*

### ISSUE

*Was the one day suspension for just  
cause?*

### AWARD

*I upheld the grievance. Det testified he had the  
Physicians verification at the Investigatory interview and  
Maj. Amos cannot recall. Whether Det should have completed  
the request for leave form then, he says he completed it  
by end of shift and put in the Gto box. As Request for  
Leave forms do get lost or misplaced Det is believable.  
The Physicians statements show he was being treated on  
the day in question.*

ISSUED AT: *ORW Mansfield, Ohio*  
DATE: *July 22, 1997*

ARBITRATOR'S  
SIGNATURE: *Craig Allen*

**BENCH DECISION AND AWARD**

ARBITRATOR: *Craig A Allen*

HEARING DATE: *July 22, 1997*

GRIEVANT: *Lisa Farr*

GRIEVANCE #: *27-19(5-14-96) 821-01-03*

DEPARTMENT: *Corrections*

UNION: *OCSEA*

MANAGEMENT ADVOCATE: *Dore Bumer*

UNION ADVOCATE: *George Ykes*

**ISSUE**

*Was the five day suspension for just cause?*

**AWARD**

*The employer having presented its evidence the parties agree that the union shall have 30 days to present its case or same will be dismissed. The parties agree that any recalled employer witness may testify by telephone*

ISSUED AT: *ORW Mansville, Ohio*  
DATE: *July 22, 1997*

ARBITRATOR'S SIGNATURE: *Craig Allen*