

#1246

OCB-OCSEA VOLUNTARY GRIEVANCE PROCEEDING
ARBITRATION AWARD

STATE OF OHIO
Department of
Youth Services

-and-

OHIO CIVIL SERVICE EMPLOYEES
ASSOCIATION, OSCEA/AFSCME
Local 11

* Case No. 35-03-951226-0189-01-3
* Arbitrator's Case No. 97-07-30
*
*
* Award Issued:
* September 24, 1997
*
*

Colleen Ryan

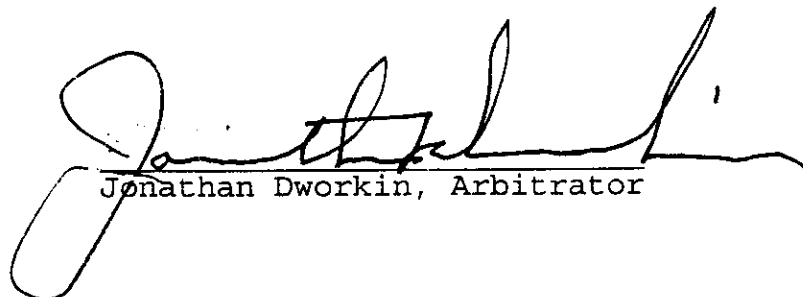
OCB Advocate

James McElvain

OCSEA Staff Representative

The grievance is sustained in part and denied in part. The removal, issued to Grievant December 22, 1995, is modified to a 30-day suspension. Grievant shall be reinstated retroactive to thirty days after the date of his removal with full, unbroken seniority. He shall also recover lost straight-time wages, calculated from thirty days after the removal to the date of the actual reinstatement. In calculating its back pay obligation, the Employer may deduct Grievant's earned income from substitute employment and any nonrefundable allowances he received as the consequence of his discharge. The Union and the Employee are directed to cooperate fully with the Employer and disclose all documents necessary to ascertain the deductible amount, if any.

Award Issued September 24, 1997 at Lorain County, Ohio.



Jonathan Dworkin, Arbitrator

JONATHAN DWORKIN
ATTORNEY

101 PARK AVENUE, P.O. BOX 187
AMHERST, OHIO 44001
(216) 985-2100
(216) 985-2102 FAX

September 24, 1997

Michael Duco, Manager
Dispute Resolution
Office of Collective Bargaining
106 North High Street
Columbus, Ohio 43215

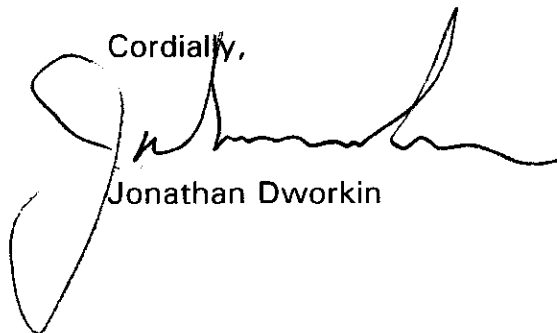
John Porter, Director
Dispute Resolution
OCSEA/AFSCME Local 11
1680 Watermark Drive
Columbus, Ohio 43215

Re: Department of Youth Services - OCSEA/AFSCME Local 11
Case No. 35-03-951226-0189-01-03 (Turner)

As approved in my conversations with both of you, I am issuing the enclosed Award in advance of the supporting Opinion. The purpose is to stop the Employer's continuing exposure to lost wages. The full text of the decision, which will incorporate the enclosed Award, will be issued shortly.

Thank you for your cooperation. If you have any questions or requests, please contact me and I will be glad to oblige.

Cordially,

A handwritten signature in black ink, appearing to read 'Jonathan Dworkin', is written over the typed name. The signature is fluid and cursive, with a large initial 'J'.

Jonathan Dworkin

JD:pb
Enclosure

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