

BENCH DECISION AND AWARD

ARBITRATOR: <u>Robert M. Stein</u>	HEARING DATE: <u>1/23/98</u>
GRIEVANT: <u>Charles Kountz</u>	GRIEVANCE #: <u>27-21 (07-10-96) 1336-01-09</u>
DEPARTMENT: <u>DR & C</u>	UNION: <u>OCSEA</u>
MANAGEMENT ADVOCATE: <u>Chuck Adams</u>	UNION ADVOCATE: <u>Dave Justice</u>

ISSUE

10 day suspension

AWARD

Grievance sustained in part and denied in part. The Grievant violated Rule 8 of the Standards of Employee conduct when he had an inmate assist him in the collection of scrap from the work site. However, the Employer failed to prove the Grievant misused his position for personal gain regarding the securing of scrap.

The 10 day suspension is hereby reduced to a three (3) day suspension for violation of Rule 8. The Grievant is to be made whole for the loss of seven (7) days pay at the rate of ~~applicable at the time of the suspension~~ ^{wage} ~~at the time of the suspension~~.

ISSUED AT: Orient ARBITRATOR'S SIGNATURE: Robert M. Stein

BENCH DECISION AND AWARD

ARBITRATOR: Robert G. Stein

HEARING DATE:

1/23/98

GRIEVANT: Carol Stevenson

GRIEVANCE #: 27-21(96-07-10)1335-01-09

DEPARTMENT: DR&C

UNION: OCSEA

MANAGEMENT
ADVOCATE:

Chuck Adams

UNION

ADVOCATE: Dave Justice

ISSUE

3 day suspension

AWARD

Grievance denied. I find that the Employee proved the Grievant violated Rule # 9 and 27 of the Standards of Employee Conduct. The Union provided a strong defense, but was unable to provide sufficient evidence and testimony to cause this Arbitrator to disturb the actions of the Employee.

ISSUED AT:
DATE:

Orient

ARBITRATOR'S
SIGNATURE:

Robert G. Stein