

ARBITRATION SUMMARY AND AWARD LOG

OCB AWARD NUMBER: 1297 Expedited

OCB GRIEVANT NUMBER: 1) 27-09-971126-0469-01-03
2) 27-09-971126-0468-01-03

GRIEVANT NAME: 1) Jiles K. Floyd
2) Kenneth Barnett

UNION: OCSEA

DEPARTMENT: Rehab & Corrections

ARBITRATOR: David Pincus

MANAGEMENT ADVOCATE: Phil Lomax

2ND CHAIR: Amy Beach

UNION ADVOCATE: Debra Bailey

ARBITRATION DATE: June 16, 1998

DECISION DATE: June 16, 1998

DECISION: 1) Denied
2) Denied

CONTRACT SECTIONS 1) 1 Day Suspension
2) 1 Day Suspension

HOLDING: 1) Arbitrator Pincus found that the Employer had just cause to discipline the Grievant.
2) The one day suspension was found to be just and the discipline imposed did commensurate with the offense.

COST: \$

#1297

BENCH DECISION AND AWARD

Arbitrator Name Dr. David M. Lewis Hearing Date 6/16/91
Grievant Name TILES K. FLOYD Grievance # 27-09-(97-11-26) ⁰⁴⁶⁹⁻ ₀₁₋₀₃
Department HR+C Union OCSEA
Management Advocate P. Lamey Union Advocate D. Bailey

ISSUE

was the Grievant disciplined for
just cause? If not what shall
the remedy be? 1 Day suspension

The Employer had just cause to discipline the
Grievant. The suspension was proper and
commensurate with the offense.

ISSUED AT Greenville
ARBITRATOR [Signature]

DATE 6/16/91

#1297

BENCH DECISION AND AWARD

Arbitrator Name Dr. David M. Rencus Hearing Date 6/16/98

Grievant Name Kenneth Barnett Grievance # 27-09-(97-11-26)-46801-03

Department DRAC Union OCSGA

Management Advocate P. Lomax Union Advocate D. Bailey

ISSUE

Was the Grievant disciplined for just cause? If not what shall the remedy be. 1 Day suspension

After a complete and impartial review of the record, including relevant documents and testimony, it is the Arbitrator's opinion that the Employer had just cause to discipline the Grievant. The imposed discipline, moreover, was commensurate based on the work location and the inmate population under observation. This type of behavior is totally inappropriate regardless of the time of the incident. This is especially true when we consider the potential health and safety consequences to inmates and fellow officers. The Grievant admitted to the activity in question and acknowledged that it had been going on for 5-10 minutes prior to the Captain's observations. Obviously, he should have been engaged in some work related activities between rounds that did not involve card playing.

ISSUED AT Crafton

DATE 6/16/98

ARBITRATOR [Signature]