

**ARBITRATION SUMMARY AND AWARD LOG**  
**OCB AWARD NUMBER: 1407 Expedited**

**OCB GRIEVANCE NUMBER:** 1) 27-16-980410-2896-01-03  
2) 27-16-981027-2980-01-03

**GRIEVANT NAME:** 1) Tim Thompson  
2) Tim Thompson

**UNION:** OCSEA/AFSCME Local 11

**DEPARTMENT:** Rehabilitation and Correction

**ARBITRATOR:** Craig A. Allen

**MANAGEMENT ADVOCATE:** 1) Dave Burrus  
2) Dave Burrus

**2ND CHAIR:**

**UNION ADVOCATE:** Lynn Belcher

**ARBITRATION DATE:** November 13, 1999

**DECISION DATE:** November 13, 1999

**DECISION:** 1) MODIFIED  
2) MODIFIED

**CONTRACT SECTIONS:** 1) 24.01  
2) 24

**HOLDING:** 1) and 2) Grievant filed two grievances over the same discipline. Grievant was fined three-days pay for his first offense of AWOL. Arbitrator reduced the penalty to a one-day fine because others had received one-day fines for their first infractions.

**COST:** \$350.00



**BENCH DECISION AND AWARD**

ARBITRATOR: Craig A. Allen

HEARING DATE: November 18, 1999

GRIEVANT: Tim Thompson

27-16 (4-10-98) 2896-1-3  
GRIEVANCE #: 27-16 (10-27-98) 288-1-3

DEPARTMENT: Corrections

UNION: OCSA

MANAGEMENT  
ADVOCATE: Lou BumaUNION  
ADVOCATE: Lynn Belcher**ISSUE**

Was the three day fine for just cause?

**AWARD**

I uphold the grievance in part and reduce the penalty to a one day fine. I do not find that the OAC is relevant here as the contract and past practice are controlling. I also do not think Mr. Rivera's decision is on point. I find Mr. Harris testimony persuasive that in his 10 yrs as a union officer he knows of no other DUT who received more than 1 day. In addition DUT is a 13 year employee with an excellent

ISSUED AT: Marion Correctional

DATE: November 10, 1999

ARBITRATOR'S

SIGNATURE: Craig A. Allen

evaluation. I was also impressed with  
the boat that got immediately purchased.  
a new alarm clock

#1407

ARBITRATOR: <u>FURMAN</u>	HEARING DATE: <u>11-4-98</u>
GRIEVANT: <u>Clendenen</u>	GRIEVANCE #: <u>2710-02-10-98-2864-0123</u>
DEPARTMENT: <u>ON RHC</u>	UNION: <u>OSEA</u>
MANAGEMENT ADVOCATE: <u>Kevin Schaeffer</u>	UNION ADVOCATE: <u>Mike Hill</u>
<p>Was G. disciplined for just cause? If not, what is the appropriate remedy?</p>	
<p><b>AWARD</b></p> <p>G. is a nearly 2 year employee of the institution. His disciplinary record shows a 30 day susp. issued in Dec 1997 for conduct unbecomg in July 97. The party involved in the prior incident <del>officer</del> <u>Chen</u>, is not a witness nor a party to the incident given rise to the current discipline. However, the events in that matter do bear on the current matter, as explained below. The current incident occurred on 11-23-97, while discipline was still pending on the July incident involving Chen.</p> <p>The facts involved <del>officer</del> <u>Chen</u> have a protracted</p>	
ISSUED AT: <u>Marion Ohio</u>	ARBITRATOR'S SIGNATURE: <u>[Signature]</u>
DATE: <u>11-4-98</u>	





