

ARBITRATION SUMMARY AND AWARD LOG
OCB AWARD NUMBER: #1506

OCB GRIEVANCE NUMBER: 27-33-20001024-0530-01-03

GRIEVANT NAME: Jennifer Cassedy

UNION: OCSEA/AFSCME Local 11

DEPARTMENT: Department of Rehabilitation and Correction

ARBITRATOR: Sandra Mendel Furman

MANAGEMENT ADVOCATE: Bob Elias

2ND CHAIR: Neni Valentine

UNION ADVOCATE: Jim Pagani

ARBITRATION DATE: 06/19/01

DECISION DATE: 06/19/01

DECISION: Grievance is modified

CONTRACT SECTIONS: 24

HOLDING: The grievant made threatening remarks, but management did not consider them serious enough to warrant administrative leave. Grievance modified to a 3 day suspension

COST: \$

SUBJECT: ARB SUMMARY #1506

TO: ALL ADVOCATES

FROM: MICHAEL P. DUCO

AGENCY: Department of Rehabilitation and Correction
UNION: OCSEA/AFSCME Local 11
ARBITRATOR: Sandra Mendel Furman
STATE ADVOCATE: Bob Elias
UNION ADVOCATE: Jim Pagani
BNA CODES: 118.640

Grievance is modified.

The grievant, a Correction Officer with approximately 10 years of service and one written reprimand in her active discipline file, was given a 10 day suspension for making 3 remarks interpreted as threats to bring a gun into the institution (OSP) and kill all administrators from the Warden on down if her husband was not awarded a position Unit Manager. He had applied for a vacancy in this classification. The grievant characterized the remarks as jokes, but other witnesses gave testimony that she seemed frustrated and upset. Some took the remarks as threats. In the expedited arbitration forum, Arbitrator Furman ruled that the grievant did make remarks that were reasonably considered as threats to at least some employees who heard the remarks. She modified the 10 day suspension finding that management did not place her on immediate administrative leave, sending the message that her behavior was not considered a serious threat.

Opinion and award: The grievant made threatening remarks, but management did not consider them serious enough to warrant administrative leave. Grievance modified to a 3 day suspension.