

# 1570

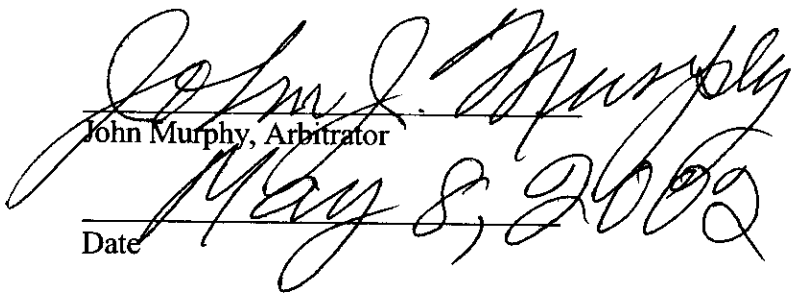
### ARBITRATOR'S FINDING

OCSEA/AFSCME, LOCAL 11 :  
Union, : Case No: 27-33-(99-08-02)-0233-01-03  
vs. :  
OFFICE OF COLLECTIVE BARGAINING: Grievant: Scott Godfrey  
and :  
Ohio Department of Rehabilitation  
And Correction : Arbitrator: John Murphy

1. "Records of other disciplinary action" as used in Section 24.06 of the CBA includes the notice of discipline and the accompanying personnel action (PA). As such, both agencies and DAS shall remove such PAs, as well as the disciplinary action from the personnel files in accordance with the schedule set forth in that section, or in accordance with any settlement agreement, or arbitration award.
2. DAS shall not place disciplinary actions, other than removals, into the DAS personnel file, effective July 1, 2002. Removals shall only be removed from the DAS personnel file in accordance with an arbitration award or settlement agreement.
3. DAS shall develop, implement and complete a system for removal of disciplinary records in accordance with subsection 1 of this finding, from the personnel file located at DAS within the next three (3) years for all employees in the OCSEA bargaining unit. The three (3) year period shall commence at the issuance of this award. DAS shall notify OCSEA's Dispute Resolution Department in writing once the system has been

developed, then again once the system is being implemented, then once again when the system has been completed. The Union may request periodic updates and DAS shall provide such updates.

4. All disciplinary records contained in the DAS personnel file or Agency personnel file for Mr. Scott E. Godfrey that are outside the schedule set forth in Section 24.06 of the CBA or any settlement agreement shall be removed from that file by June 1, 2002.
5. The Arbitrator recognizes that the issue regarding computerized records is not before him, and that the parties reserve the right to raise challenges in subsequent matters.

  
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John Murphy, Arbitrator

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Date