

#1581

BENCH DECISION AND AWARD

ARBITRATOR: D. Pincus

HEARING DATE: 6/6/02

GRIEVANT: Jennifer Moment

GRIEVANCE #: ~~33-20020114-1214-01-04~~

33-06-010418-1155-01-04-F

DEPARTMENT: Ohio Veterans Home

UNION: OCSEA

MANAGEMENT
ADVOCATE: John CookUNION
ADVOCATE: Robert Robinson**ISSUE**

WAS the five(5) day suspension
imposed for just cause? If not,
what shall the remedy be?

AWARD

The suspension was properly imposed.
The suspension was for just cause.

ISSUED AT:
DATE:

6/6/02

ARBITRATOR'S
SIGNATURE:

NON-TRADITIONAL ARBITRATION WAIVER AND RELEASE

This Waiver and Release is voluntarily and knowingly entered into by Jennifer Moment
("the Grievant") in regard to the presentation and arbitration of Grievance Number 3300010418-1155-DIC

_____. The Grievant acknowledges that he/she is aware that OCSEA, AFSCME Local 11, AFL-CIO and the ODAS Office of Collective Bargaining have entered into an Agreement pursuant to Article 25.10 of the Collective Bargaining Agreement (CBA) between the State of Ohio and OCSEA, AFSCME Local 11, AFL-CIO, a copy of which is attached as Exhibit A. The Agreement permits the parties to utilize non-traditional mechanisms, both substantive and procedural, in an effort to streamline and expedite the resolution of grievances. The Grievant acknowledges that he/she wishes to utilize such a non-traditional arbitration procedure. In consideration of the ability of the Grievant to utilize a non-traditional arbitration procedure as permitted in Exhibit A, the Grievant hereby knowingly and voluntarily waives the right to participate in the traditional arbitration procedure set forth in Article 25 of the CBA between OCSEA, AFSCME Local 11, AFL-CIO and the State of Ohio, and further releases OCSEA, AFSCME Local 11, AFL-CIO, its subordinate bodies and the State of Ohio, Office of Collective Bargaining, and the State agencies that OCB represents, from any and all claims arising under Ohio Revised Code Chapter 4117, or under the CBA, that are based upon or in any manner related to the utilization of non-traditional arbitration as a final and binding resolution of the aforementioned grievance. Nothing herein constitutes a waiver of any right that any party may otherwise have under Chapter 2711 of the Ohio Revised Code.

By signing this Waiver and Release, the Grievant acknowledges that he/she has read it, and has read the attached Exhibit A hereto, understands the terms of these documents, and voluntarily agrees to be bound by them.

Jennifer Moment 6/6/02
Grievant Date

3300010418-1155-DIC 6/6/02
Union Representative Date

Robert Robinson 6/6/02
Witness Date