

BENCH DECISION AND AWARD

ARBITRATOR: Anna DuVal Smith

HEARING DATE: August 14, 2002

GRIEVANT: David Carlton

GRIEVANCE #: 27-14 (3-15-02) 1581-01-03

DEPARTMENT: Rehabilitation & Correction

UNION: OCSFA / AFSCME

MANAGEMENT
ADVOCATE: David BurrusUNION
ADVOCATE: James McEluein

ISSUE

Was The Grievant terminated for just cause? If not,
what is The remedy?

AWARD

The Grievant was not terminated for just cause. The Grievant is returned to his former position as Corrections Officer effective with The next pay period (August 25, 2002). His termination is to be removed from his record. The time since his removal is to be converted to Administrative leave without pay. The Grievant is ordered into a last chance agreement for two years from August 25, 2002, for violations of Rule 40 of The October 1, 2001 Standards of Employee Conduct. The Arbitrator retains jurisdiction until The Grievant returns to work.

 ISSUED AT: Lorain County, Ohio
 DATE: August 14, 2002

 ARBITRATOR'S
 SIGNATURE: Anna DuVal Smith