

BENCH DECISION AND AWARD

☐ Expedited ☒ NTA

1671

ARBITRATOR:

F. J. MAU

HEARING DATE:

6-12-03

GRIEVANT:

H. J. KINSON

GRIEVANCE #:

27-00(03-024) 6824-03

DEPARTMENT:

R. J. C.

UNION:

OSCA Local 11

MANAGEMENT
ADVOCATE:

Larry Blate

UNION
ADVOCATE:

Don E Sargent

ISSUE

Was G disciplined for just cause?
If not what is appropriate
remedy?

AWARD

R-38 Violation was not proven +
is stricken from Notice of discipline.

Mgmt proved by preponderance of evidence
the G was smoking in a prohibited area. G
admitted he was smoking in that area. R 8
provides for a discipline of WR or 2 dg fine. Absent
abuse of discretion or evidence of arbitrary, capricious
conduct, ARBITRATOR will substitute her
judgment so long as discipline is within the grid.

ISSUED AT:
DATE:

London OH 6-12-03

ARBITRATOR'S
SIGNATURE: