

BENCH DECISION AND AWARD

 Expedited NTA

#1674

ARBITRATOR: Stein

HEARING DATE: 6/25/03

GRIEVANT: Barb Stenson

GRIEVANCE #: 28-05-2002/220-170-01-4

DEPARTMENT: DRE/APA

UNION: OCSEA

MANAGEMENT
ADVOCATE: David LouieUNION
ADVOCATE: Lynn Belcher

ISSUE

Discipline - 5 day fine

Rule 3b, 3c + 3d

AWARD

GRIEVANCE DENIED. The grievant waived her right to a Pre-Discipline meeting by failing to attend it on November 1, 2002. Article 24.04 grants an employee the right to "refute or rebut" charges being made against him/her. However, the grievant's failure to attend the Pre-Discipline hearing, the 3rd step of the grievance process and the NTA hearing seriously undermined her position in this matter! The Union's argument about the Employer's failure to conduct a complete investigation lacks evidentiary support.

ISSUED AT:

OCSEA

DATE:

6/25/03

ARBITRATOR'S
SIGNATURE:

Lobel