

BENCH DECISION AND AWARD

☐ Expedited☒ NTA

1685

ARBITRATOR:

FURMAN

HEARING DATE:

6-16-03

GRIEVANT:

Gerald Green

GRIEVANCE #:

27-11 (02-05-16) 1285-01-03

DEPARTMENT:

Q & C

UNION:

OCSEA

MANAGEMENT
ADVOCATE:

Don Campbell

UNION
ADVOCATE:

Robert Jones

ISSUE

Whether G. was disciplined for just cause? If not, what is the appropriate remedy?

AWARD

G. was charged with a violation of R 11. G said he was not aware that the cutting tool, tips & hoses were restricted items. ^(there may not have been specific training on these tools.) It is true that the written policies did not list these tools as restricted. Admittedly, the Arb. insists upon notice ^{to the employee} before she will affirm a discipline, but under the facts & circumstances of this case, G. signed off on a form stating the tools were carried out. They were not, & no other plausible explanation exists for the hose, tip & torch being in the case than G. neglected because that they were removed by the tbor. The Employer met its pop. The grievance is Denied.

ISSUED AT:
DATE:

Lancaster on 6-16-03

ARBITRATOR'S
SIGNATURE:

[Signature]