

#1739

HEARING DECISION AND AWARD

ARBITRATOR: SANDRA FURMAN

HEARING DATE: DECEMBER 8, 2003

GRIEVANT: JOSHUA SMITH

GRIEVANCE #: 27-11-(021211)-1353-01-03

DEPARTMENT: DR & C

UNION: OCSEA

MANAGEMENT ADVOCATE: RON CAMPBELL

UNION ADVOCATE: ROBERT JONES

Was G disciplined for just cause?

If not, what is the appropriate remedy?

The Arbitrator finds that G has created a situation where he has given conflicting versions of events that occurred on 7-11-03. While the Arbitrator can only speculate as to why the signed report of 7-11-03 indicates a direct participation in an effort to subdue an inmate, Belue is different from the info he provided to the COF committee. Management has proven by a preponderance a direct inconsistency. The explanation offered by Key Officer is insufficient to overcome this conflict. The Arbitrator finds

ISSUED AT:
DATE:

Debanon ON 12-08-03

ARBITRATOR'S
SIGNATURE:
