**OCB AWARD NUMBER: 2261**

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| **SUBJECT:** | **ARB SUMMARY # 2261** |
| **TO:** | **ALL ADVOCATES** |
| **FROM:** | **MEGAN SCHENK** |
| **OCB GRIEVANCE NUMBER:** | **15-03-20140613-0058-04-01** |
| **DEPARTMENT:** | **Department of Public Safety-Ohio State Highway Patrol** |
| **UNION:** | **OSTA** |
| **ARBITRATOR:** | **Thomas J. Nowel** |
| **GRIEVANT NAME:** | **Jennifer Beauck** |
| **MANAGEMENT ADVOCATE:** | **Lt. Jacob D. Pyles** |
| **UNION ADVOCATE:** | **Elaine Silveira** |
| **ARBITRATION DATE:** | **11-25-2014** |
| **DECISION DATE:** | **12-3-2014** |
| **DECISION:** | **GRANTED** |
| **CONTRACT SECTIONS:** | **Article 19.01, 19.05** |
| **OCB RESEARCH CODES:** | **118.08—Suspensions—In General** |

**HOLDING: Grievance GRANTED. Grievant improperly released LEADS information when she showed her nineteen year old son a LEADS printout while giving him a tour of the workplace. The leak, however, did not harm the individual named on the printout, nor did it harm the criminal justice system. Grievant has good performance reviews, no discipline on her deportment record, and her son held the LEADS printout for less than a minute. Her son’s pending felony charges also had nothing to do with the LEADS printout or the named individual on it. A one-day suspension thus was too harsh. It is a serious violation, though, and so the Arbitrator deemed a written reprimand appropriate.**

*Facts.* Grievant has been employed as a Dispatcher for the Ohio State Highway Patrol for about two years, and was previously employed by the Sandusky Police Department for seven years. She is and has been LEADS certified for ten years. In April of 2014, Grievant’s nineteen year old son visited her at work to pick up his credit card from her vehicle. Since he was there, Grievant figured she’d give him a tour and explain to him her job duties. While on this tour, Grievant showed her son a LEADS printout, which he looked at for less than a minute. Another dispatcher observed this interaction and later reported the incident. Grievant admitted that she made a mistake by showing her son the LEADS printout. Employer administered a one-day suspension.

*Employer’s Position.* A one-day suspension was the appropriate discipline. Showing a LEADS printout to an unauthorized individual seriously violates public trust. Misplaced information of the sort can jeopardize the integrity of the criminal justice system. Grievant’s son, moreover, had three pending felony charges against him when Grievant showed him the LEADS printout.

*Union’s Position.* A one-day suspension is excessive. The named individual on the LEADS printout was completely unconnected to Grievant’s son. The named individual was not harmed, Grievant’s son gained no advantage in his criminal proceedings from viewing the printout, and no information was leaked. Yes, Grievant made a mistake. Discipline is appropriate. But the level of discipline levied here is too harsh for an employee with no discipline on their deportment record.

*Arbitrator’s Decision.* Grievant improperly released LEADS information when she showed her nineteen year old son a LEADS printout while giving him a tour of the workplace. The leak, however, did not harm the individual named on the printout, nor did it harm the criminal justice system. Grievant has good performance reviews, no discipline on her deportment record, and her son held the LEADS printout for less than a minute. Her son’s pending felony charges also had nothing to do with the LEADS printout or the named individual on it. A one-day suspension thus was too harsh. It is a serious violation, though, and so the Arbitrator deemed a written reprimand appropriate.