

ARBITRATION DECISION NO.:

072

UNION:

OCSEA, Local 11, AFSCME, AFL-CIO

EMPLOYER:

Ohio Department of Mental Health

DATE OF ARBITRATION:

December 8, 1987

DATE OF DECISION:

December 9, 1987 (bench decision)

GRIEVANT:

Henry Calowell

OCB GRIEVANCE NO.:

G86-1045

ARBITRATOR:

Jerry Fullmer

FOR THE UNION:

Steve Lieber

FOR THE EMPLOYER:

Jennifer Dworkin

KEY WORDS:

Just Cause

Insubordination

ARTICLES:

Article 24 – Discipline

§24.01 - Standard

FACTS:

Bench Decision

TEXT OF THE OPINION:

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State of Ohio
Department Mental Health
Union OCSEA, Local 11

Grievance No. G86-1045
Grievant Henry Calowell
Date of Hearing 12/9/87

- Issue (s): "was the discipline for just cause? If not, what shall the remedy be?" (insubordination).

Appearances:

For the Employer: (Advocate) Jennifer Dworkin

- For the Union: (Advocate) Steve Lieber

- AWARD: The Arbitrator finds that there was an offense in that the Grievant did not want to and did not perform the job as asked/ordered, detracting from severity are: 1) Grievant's reporting to job despite claim of contract violation 2) actions in working out of "trade" 3) no prior insubordinations 4)

- Relative physical isolation of supervisor-Grievant c????.

- Remedy: conversion to written warning; two days back pay.

- Issued at Cleveland, OH
12/9/87

Arbitrator's Signature

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