

Susan Grody Ruben, Esq.
Labor Arbitrator
30799 Pinetree Road, #226
Cleveland, OH 44124

#1106

IN THE MATTER OF

OCSEA

v.

ARBITRATOR'S
AWARD

OHIO DEPARTMENT OF
REHABILITATION AND
CORRECTION

Case Nos. 27-19-2012-126-0025-01-06,
27-01-20120209-0003-01-03, and
02-10-120216-0001-01-03

Pursuant to the collective bargaining agreement between OCSEA and Ohio Department of Rehabilitation and Correction, the three grievances identified above were heard before Arbitrator Susan Grody Ruben on October 24, 2012.

Article 36.13 of the 2009-2012 collective bargaining agreement provides in pertinent part:

Upon conclusion of the negotiation process with all other bargaining units set forth below, if the Employer does not freeze steps or merit increases comparable to Article 36.03 or provides any wage increase, excluding pay supplements, settlements, or awards from an administrative body or court, for State bargaining units represented by other organizations (Units 1, 2, 10, 11, 12 and 15) or exempt employees (schedule E1, E2, and E3), that same adjustment will be implemented for the bargaining units represented in this Agreement....

Grievance No. 27-19-20120126-0025-01-06 states:

It was brought to this steward's attention that all Wardens within the Department of Rehabilitation and Correction are getting approximately an \$8.00 an hour raise. Article 36.13 clearly states that if pay grades E1, E2, and E3 get a pay raise, that we will get it.

Grievance No. 27-01-20120209-0003-01-03 states:

A majority of the wardens in the Department of Corrections received a pay rate increase in violation of the parity clause of the collective bargaining agreement.

Grievance No. 02-10-120216-0001-01-03 states:


The Union has been made aware that a majority of the Wardens in DRC received a pay increase. Also, OCSEA was made aware that other exempt staff received a pay increase over the terms of the 2009-

2012 contract. This is in violation of the parity clause of the contract.

AWARD

1. The Department of Corrections should have waited until March 1, 2012 to give the wardens' raises.
2. The Department of Corrections shall pay the Union Benefits Trust \$60,000 in January of 2013, no later than January 15, 2013.

October 24, 2012



Susan Grody Ruben, Esq.
Arbitrator