

# 763

cl 6/22/01  
REVIEWED BY

JUN 22 2001

OCSEA/AFSCME, Local 11, AFL-CIO

: Arbitrator: Harry Graham GRIEVANCE COORDINATOR

and

STATE OF OHIO  
OFFICE OF COLLECTIVE BARGAINING

: Grievant: Darrell Mummey, et al

: 27-32-(00-03-10)-0245-01-03

: Issue: Ohio National Guard Time

: Date of Hearing: June 21, 2001

Appearing for the Union

Herman S. Whitter, 1<sup>st</sup> Chair  
Director of Dispute Resolution/Atty.  
Jamie Kuhner, Staff Representative

: Appearing for the State

: Michael P. Duco, 1<sup>st</sup> Chair  
Mgr. of Dispute Resolution/Atty.  
Jeff Wilson, Labor Relations Spec

**ARBITRATOR'S DECISION AWARD**

Based upon the evidence and argument presented in Columbus, Ohio on June 21, 2001, the arbitrator award as follows:

The grievance of the union is sustained on behalf of the grievants who meet the criteria of Ohio Revised Code Section 9.44.

A full time employee who was a member of the Ohio National Guard serving on duty one (1) weekend per month and two (2) weeks out of every year is entitled to one (1) year prior service credit for each year of service for the purpose of computing the amount of his vacation leave pursuant to RC121.161, OAG 81-066.


Union Exhibit 3 (R.C. 9.44) and practice support the position of the union in this matter. The Employer is to credit National Guard service to the eligible grievants for purposes of vacation and longevity.

**State service credit shall be based on the initial date of enlistment in the National Guard.** All adjustments in vacation and longevity pay as a result of this award shall be retroactive to 30 days prior to the date of filing of the grievance per Article 25, Section 25.02.

The Office of Collective Bargaining is to promptly notify all State agencies of this decision.

This award is limited to the five (5) grievants and applies to National Guard time only.

Signed and dated this 21<sup>st</sup> day of June, 2001 at Columbus, Ohio

  
Harry Graham, Arbitrator