

# 790A

ROBERT BROOKINS  
PROFESSOR OF LAW ♦ LABOR ARBITRATOR ♦ MEDIATOR, J. D., PH. D.



May 16, 2002

Herman Whitter, Director of Dispute Resolution  
OCSEA/AFSCME LOCAL 11  
390 Worthington Rd.  
Westerville, OH 43802-8331

Re: Addendum to Maudie G. Williams' Decision

Dear Attorney Whitter:

On May 10, 2002, a telephone conference call occurred between the Undersigned and the following representatives, among others: Herman Whitter (OCSEA), David Burrus (Ohio DR&C), and Michael Duco (Ohio OCB). During that conference call, all parties present agreed that the Undersigned shall submit an addendum clarifying the remedial portion of his opinion and award ("Award") in the following dispute:

OCSEA/AFSCME Local 11 and EEO Bureau/Ohio DR&C (DR&C)  
Ms. Maudie G. Williams, Grievant  
(Grievance No.2701-010914-216-22-EX)  
Hearing Held: January 25, 2002 & February 5, 2002  
Case Decided April 15, 2002

Accordingly, the Undersigned submits the following addendum to the Award:

1. DRC shall reinstate Ms. Williams forthwith and upon the following conditions:
2. For a period of no more than twelve (12) months from the date that DR&C reinstates Ms. Williams pursuant to the Award, excluding any periods during which Ms. Williams is on vacation or sick leave, Ms. Williams agrees not to commit the infractions set forth in the following DR&C Rules of Employee Conduct:
  - i. Rule 8 Failure to carry out a work assignment or the exercise of poor judgement in carrying out an assignment
  - ii. Rule 38 Actions that could compromise or impair the ability of the employee to effectively carry out his/her duties as a public employee
- b. Failure by Ms. Williams to comply with (to violate) either Rule 8 or Rule 38, or both, during the above-mentioned twelve-month period, shall be deemed *just cause* for her removal, *provided that* such violation(s) is proven pursuant to the grievance/arbitration procedures of the Parties Collective-Bargaining Agreement in force at the time of the violations.

Respectfully,

Robert Brookins

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