

#801

REVIEWED BY  
Cl. 8-27-02  
AUG 27 2002

**BENCH DECISION AND AWARD**

GRIEVANCE COORDINATOR

ARBITRATOR: Anna DuVal Smith	HEARING DATE: August 14, 2002
GRIEVANT: David Carlton	GRIEVANCE #: 27-14 (3-15-02) 1581-01-03
DEPARTMENT: Rehabilitation & Correction	UNION: OCS&A / AFSCME
MANAGEMENT ADVOCATE: David Burrus	UNION ADVOCATE: James McElvain

**ISSUE**

Was the Grievant terminated for just cause? If not, what is the remedy?

**AWARD**

The Grievant was not terminated for just cause. The Grievant is returned to his former position as Corrections Officer effective with the next pay period (August 25, 2002). His termination is to be removed from his record. The time since his removal is to be converted to administrative leave without pay. The Grievant is ordered into a last chance agreement for two years from August 25, 2002, for violations of Rule 40 of the October 1, 2001 Standards of Employee Conduct. The Arbitrator retains jurisdiction until the Grievant returns to work.

ISSUED AT: Lorain County, Ohio  
DATE: August 14, 2002

ARBITRATOR'S SIGNATURE: Anna DuVal Smith