

Dec. 863 A

SUPPLEMENT

IN THE MATTER OF ARBITRATION
BETWEEN
OCSEA, AFSCME LOCAL 11, AFL-CIO
AND STATE OF OHIO/BWC

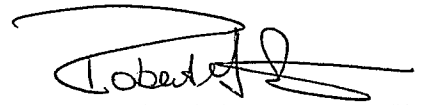
Grievant: Jeremiah Morgan
Case # 34-34-20020211-0014-01-09 (Promotion)

This arbitrator retained jurisdiction over the 05/17/04 Award for a period of sixty (60) calendar days in the above referenced grievance.

Pursuant to the provisions of the award, Herman S. Whitter of OCSEA, the Union and Kenneth R. Couch of OCB, provided information not available at the hearing which persuaded this Arbitrator that pursuant to the parties' contractual language and their long standing practice, arbitrators have jurisdiction to remove an employee from a position if the Arbitrator determined that the employee was inappropriately placed in the position in the first place. And as such, an Arbitrator also has jurisdiction to place the appropriate employee in the position.

The effect of this clarification shall be prospective in nature and does not affect the original decision.

Respectfully submitted to the parties on this 18th day of July 2004.


Robert G. Stein, Arbitrator