

AFSCME Council 24
WISCONSIN STATE EMPLOYEE UNION, AFL-CIO
Arbitration Award Summary

WON:		CONTRACT	1995-97
LOST:	XXX	CASE NO.:	15002
SPLIT:		VOLUME:	11-10
ISSUE:	SUSPENSION, INSUBORDINATION	PROVISIONS:	ARTICLE IV, SECTION 9
ARBITRATOR:	GRENIG	LOCAL:	194
HEARD:	10/30/97	BARG. UNIT:	BC
AWARD:	11/3/97	EMP. UNIT:	U.W. LA CROSSE

This case was heard under the expedited arbitration procedure contained in the Agreement and is, therefor, non-precedential.

The Grievant was a Custodian at the University. In August of 1996, she received a three-day suspension for failing to carry out instructions, falsifying her time report, failing to provide accurate information to her lead worker and supervisor, failing to report at the start of her shift and leaving early without specific approval, failing to notify her supervisor of her absences and being discourteous to her coworkers.

The Employer stated that the discipline imposed was corrective. It said that the three-day suspension was appropriate given the Grievant's abusive language and her failure to work when she was supposed to.

The Union stated that the Grievant did not violate the work rules in question. It claimed that the Grievant did just what other employees did when changing her schedule.

The Arbitrator found that the Grievant's own words, "I'll do it later", in regard to correcting her time report to show three hours of comp time taken suggested that she had in fact taken that time off. This was contrary to her later statement. The evidence in the record did not rebut the Employer's charge that the Grievant's claim to have talked with her supervisor prior to taking time off on another occasion was false. The record also showed that the Grievant had unilaterally changed her work schedule on yet another occasion. The Arbitrator noted that the Grievant did not deny directing abusive language towards a lead worker. The Grievant's conduct was serious enough to warrant a three-day suspension.

The grievance was denied.