

BEFORE THE ARBITRATOR

In the Matter of the Arbitration
of a Dispute Between

SHEBOYGAN COUNTY LAW ENFORCEMENT
EMPLOYEES LOCAL 2481, AFSCME,
AFL-CIO

and

SHEBOYGAN COUNTY
(SHERIFF'S DEPARTMENT)

Case 160
No. 47900
MA-7424

Grievance of Gerry Urban
re: one-day suspension
#1991-2481-04

Appearances:

Ms. Helen Isferding, Staff Representative, AFSCME Council 40, 1207 Main Avenue,
Sheboygan, WI 53083.

Ms. Louella Conway, Personnel Director, Sheboygan County, 615 North 6th Street,
Sheboygan, WI 53083.

ARBITRATION AWARD

The Wisconsin Employment Relations Commission designated the undersigned to hear and decide a dispute concerning the above-noted grievance under the grievance arbitration procedures contained in the parties' 1989-91 Agreement (herein Contract).

The parties presented their evidence and arguments to the Arbitrator at a hearing in the Sheboygan County Courthouse in Sheboygan, Wisconsin, on December 8, 1992. No transcript was made of the proceedings. However, by agreement of the parties the Arbitrator maintained an audio tape recording of the proceedings for his exclusive use in award preparation.

The parties summed up their arguments on the record at the hearing, waived the filing of post-hearing written briefs, and jointly requested that the Arbitrator render a bench award. Accordingly, the evidence and arguments were fully submitted as of December 8, 1992.

On the basis of the evidence and arguments presented during that hearing, the Arbitrator rendered a bench award. This written confirmation of that Award sets forth only the issues submitted and the decision rendered, without recitation of the factual background, positions of the parties, or the Arbitrator's rationale as explained by the Arbitrator at the conclusion of the hearing.

ISSUES

The parties authorized the Arbitrator to decide the following issues:

1. Did the Employer violate the contract when it gave Officer Gerry Urban a one-day suspension on October 8, 1992.
2. If so, what is the appropriate remedy?

DECISION AND AWARD

For the reasons stated at the hearing and based on the record as a whole it was and is the DECISION AND AWARD of the undersigned Arbitrator on the ISSUES noted above that:

1. The Employer did not violate the contract when it gave Officer Gerry Urban a one-day suspension on October 8, 1992.
2. Accordingly, the subject grievance is denied and no consideration of remedy is necessary or appropriate.

Dated at Shorewood, Wisconsin this 22nd day of December, 1992.

By Marshall L. Gratz /s/
Marshall L. Gratz, Arbitrator