

Issue: Consolidation of grievances for a single hearing; Ruling Date: May 17, 2013; Ruling No. 2013-3586; Agency: Department of Social Services; Outcome: Consolidation Granted.



*COMMONWEALTH of VIRGINIA*  
*Department of Human Resource Management*  
*Office of Employment Dispute Resolution*

**CONSOLIDATION RULING**

In the matter of the Department of Social Services  
Ruling Number 2013-3586  
May 17, 2013

This ruling addresses the consolidation of the grievant's three grievances filed with the Department of Social Services (the agency). For the reasons discussed below, the Office of Employment Dispute Resolution (EDR) at the Department of Human Resource Management finds that consolidation of these grievances into a single hearing is appropriate and practicable.

The three grievances at issue are 1) a February 7, 2013 grievance regarding a Group I Written Notice 2) a February 7, 2013 grievance regarding a Group II Written Notice and 3) a March 5, 2013 dismissal grievance concerning the grievant's disciplinary termination. The parties have agreed to a consolidation of these matters for a single hearing.

Approval by EDR in the form of a compliance ruling is required before two or more grievances may be consolidated in a single hearing. Moreover, EDR may consolidate grievances for hearing without a request from either party.<sup>1</sup> EDR strongly favors consolidation and will consolidate grievances when they involve the same parties, legal issues, policies, and/or factual background, unless there is a persuasive reason to process the grievances individually.<sup>2</sup>

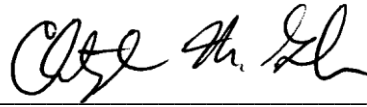
EDR finds that consolidation of the grievant's two February 7, 2013 grievances and March 5, 2013 dismissal grievance is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. The grievances all relate to disciplinary actions issued to the grievant that led to her termination. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's two February 7, 2013 grievances and March 5, 2013 dismissal grievance are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

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<sup>1</sup> *Grievance Procedure Manual* § 8.5.

<sup>2</sup> *See id.*

EDR's rulings on compliance are final and nonappealable.<sup>3</sup>



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Christopher M. Grab  
Director  
Office of Employment Dispute Resolution

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<sup>3</sup> See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).