

Issue: Consolidation of Grievances for a Single Hearing; Ruling Date: July 22, 2013; Ruling No. 2013-3652; Agency: Virginia Commonwealth University; Outcome: Consolidation granted.



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

CONSOLIDATION RULING

In the matter of Virginia Commonwealth University
Ruling Number 2014-3652
July 22, 2013

This ruling addresses the consolidation of the grievant's two grievances filed with Virginia Commonwealth University. For the reasons discussed below, the Office of Employment Dispute Resolution (EDR) finds that consolidation of these grievances into a single hearing is appropriate and practicable.

FACTS

The two grievances at issue are 1) a May 24, 2013 grievance regarding a Group II Written Notice issued to the grievant for failure to follow instructions and policy and unsatisfactory performance, and 2) a June 7, 2013 grievance issued to the grievant for failure to follow instructions and policy and unsatisfactory performance. Both grievances were issued by the grievant's immediate supervisor. Both parties agree that consolidation is appropriate in this instance.

DISCUSSION

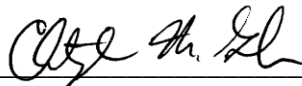
Approval by EDR in the form of a compliance ruling is required before two or more grievances may be consolidated in a single hearing. Moreover, EDR may consolidate grievances for hearing without a request from either party.¹ EDR strongly favors consolidation and will consolidate grievances when they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

EDR finds that consolidation of the grievant's May 24, 2013 and June 7, 2013 grievances 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 by her immediate supervisor. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's May 24, 2013 and June 7, 2013 grievances are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

EDR's rulings on compliance are final and nonappealable.³



Christopher M. Grab
Director
Office of Employment Dispute Resolution

³ See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).