

Issue: Consolidation of Grievances for a Single Hearing; Ruling Date: August 7, 2014; Ruling No. 2014-3968; Agency: Old Dominion University; Outcome: Consolidation Granted.



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

CONSOLIDATION RULING

In the matter of Old Dominion University
Ruling Number 2015-3968
August 7, 2014

This ruling addresses the consolidation of the grievant's dismissal grievance with two other grievances filed with Old Dominion University (the agency or University). For the reasons discussed below, the Office of Employment Dispute Resolution (EDR) finds that consolidation of all three grievances into a single hearing is appropriate and practicable.

FACTS

On July 11, 2014, EDR issued Ruling Numbers 2015-3937, 2015-3938 (the initial consolidation ruling), which consolidated two grievances filed by the grievant on or about April 25, 2014 and June 17, 2014.¹ On August 5, 2014, the grievant filed a dismissal grievance directly with EDR. Both parties agree consolidation of all three grievances filed by this grievant is appropriate.

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.² 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.³

EDR finds that consolidation of the August 5, 2014 dismissal grievance with the April 25, 2014 grievance and the June 17, 2014 grievance is appropriate. These three grievances involve the same grievant and appear to share common themes, claims, and witnesses. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's August 5, 2014 grievance is consolidated with the April 25, 2014 and June 17, 2014 grievances, which

¹ See EDR Ruling Nos. 2015-3937, 2015-3938.

² *Grievance Procedure Manual* § 8.5.

³ See *id.*

were already previously consolidated,⁴ for a single hearing. A hearing officer will be appointed in a forthcoming letter.

EDR's rulings on compliance are final and nonappealable.⁵



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Director
Office of Employment Dispute Resolution

⁴ EDR Ruling Nos. 2015-3937, 2015-3938.

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