

Issue: Consolidation of grievances for a single hearing. Ruling Date: September 14, 2015; Ruling No. 2016-4229, 2016-4230; Agency: Virginia State University; Outcome: Consolidation Granted.



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

CONSOLIDATION RULING

In the matter of Virginia State University
Ruling Numbers 2016-4229, 2016-4230
September 14, 2015

This ruling addresses the consolidation of the grievant's two grievances filed with Virginia State University (the 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 July 27, 2015 grievance, and 2) an August 27, 2015 dismissal grievance challenging the issuance of a Group III Written Notice dated July 28, 2015, accompanying the grievant's termination from employment. 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 July 27, 2015 and August 27, 2015 grievances is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's July 27, 2015 and the August 27, 2015 grievances are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

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

A handwritten signature in black ink, appearing to read "Chris M. Grab".

Christopher M. Grab
Director
Office of Employment Dispute Resolution

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

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