

Issue: Consolidation – “un” consolidation of grievances for purpose of hearing; Ruling Date: September 10, 2007; Ruling #2008-1795, 2008-1796; Agency: Department of State Police; Outcome: Consolidation reversed (not granted) – grievances to be heard separately.



*COMMONWEALTH of VIRGINIA*  
*Department of Employment Dispute Resolution*

**CONSOLIDATION RULING OF DIRECTOR**

In the matter of the Virginia State Police  
Ruling Numbers 2008-1795, 2008-1796  
September 10, 2007

In EDR Rulings No. 2007-1571 and 2007-1670, this Department consolidated for hearing the grievances of Grievants A and B, on the ground that the grievances involve the same agency policy. The consolidated grievances, designated as Case Nos. 8663 and 8664 for hearing purposes, were assigned to a single hearing officer for a single hearing.

The assigned hearing officer has now asked this Department to reconsider its decision to consolidate the claims of Grievants A and B for hearing. In particular, he has expressed a concern that the consolidation of these claims will compromise the grievants' privacy and confidentiality, as their grievances arose from separate occurrences and events and are related only through similar claims of policy misapplication.

Having considered the hearing officer's concerns, this Department concludes that it is more appropriate for each grievant's claims to be heard individually, rather than in a single hearing. Accordingly, the hearing officer and parties are advised that the grievances are no longer consolidated for hearing, although they will remain assigned to the same hearing officer.

This Department's rulings on compliance are final and nonappealable.<sup>1</sup>

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Claudia T. Farr  
Director

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<sup>1</sup> Va. Code § 2.2-1001(5).