

Issue: Consolidation of Grievances for a Single Hearing; Ruling Date: June 30, 2010; Ruling #2010-2687, 2010-2688; Agency: Christopher Newport University; Outcome: Consolidated Granted.



COMMONWEALTH of VIRGINIA
Department of Employment Dispute Resolution

CONSOLIDATION RULING OF DIRECTOR

In the matter of Christopher Newport University
Ruling Numbers 2010-2687, 2010-2688
June 30, 2010

This ruling addresses the consolidation of the grievant's two grievances filed with Christopher Newport University (the University) on or about May 19, 2010 and June 1, 2010 respectively. For the reasons discussed below, this Department finds that consolidation of these grievances into a single hearing is appropriate and practicable.

FACTS

The grievant's May 19, 2010 grievance concerns "ongoing" issues regarding her time cards and time sheets. In her June 1, 2010 grievance, the grievant appears to challenge her disciplinary termination for alleged failure to follow a supervisor's instructions in relation to hours of work. After the parties failed to resolve the grievances during the management resolution steps, the agency head qualified the grievances for hearing. The agency has asked for appointment of a hearing officer and requested that the grievances be consolidated. The grievant does not object to the consolidation request.

DISCUSSION

Approval by the Director of this Department or her designee 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

This Department finds that consolidation of the two 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, in light of the parties' agreement that consolidation is acceptable, the grievant's

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

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May 19, 2010 and June 1, 2010 grievances are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

This Department's rulings on compliance are final and nonappealable.³

Claudia T. Farr
Director

³ See Va. Code §§ 2.2-1001(5), 2.2-3003(G).