

Issue: Consolidation of grievances for a single hearing; Ruling Date: May 18, 2012; Ruling No. 2012-3348, 2012-3349; Agency: Old Dominion University; Outcome: Consolidation Granted.



**COMMONWEALTH of VIRGINIA**  
**Department of Employment Dispute Resolution**  
**CONSOLIDATION RULING OF DIRECTOR**

In the matter of Old Dominion University  
Ruling Numbers 2012-3348, 2011-3349  
May 18, 2012

This ruling addresses the consolidation of the grievant's two grievances filed with Old Dominion University (the University). For the reasons discussed below, this Department finds that consolidation of these grievances into a single hearing is appropriate and practicable.

FACTS

The two grievances at issue, dated March 18, 2012 and April 16, 2012, concern two Written Notices issued to the grievant culminating in her termination. After the parties failed to resolve the grievances during the management resolution steps, the University has asked for appointment of a hearing officer in these matters.

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.<sup>1</sup> 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.<sup>2</sup>

This Department finds that consolidation of the grievant's March 18, 2012 and April 16, 2012 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 that led to her termination. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's March 18, 2012 and April 16, 2012 grievances are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

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<sup>1</sup> *Grievance Procedure Manual* § 8.5.

<sup>2</sup> *See id.*

This Department's rulings on compliance are final and nonappealable.<sup>3</sup>

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Claudia T. Farr  
Director

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<sup>3</sup> See Va. Code §§ 2.2-1001(5), 2.2-3003(G).