

Issue: Consolidation of grievances for a single hearing; Ruling Date: July 25, 2012; Ruling No. 2013- 3384, 2013-3385; Agency: Virginia Commonwealth University; Outcome: Consolidation Granted.



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

CONSOLIDATION RULING

In the matter of Virginia Commonwealth University
Ruling Numbers 2013-3384, 2013-3385
July 25, 2012

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

FACTS

The two grievances at issue, dated May 16, 2012 and May 17, 2012, concern two Written Notices issued to the grievant culminating in his 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 and requested consolidation. The grievant does not object to the consolidation request.

DISCUSSION

Approval by Office of Employment Dispute Resolution (EDR) and the Department of Human Resource Management 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

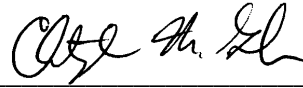
EDR finds that consolidation of the grievant's May 16, 2012 and May 17, 2012 grievances is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. The grievances all relate to disciplinary actions issued to the grievant that led to his termination. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's May 16, 2012 and May 17, 2012

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

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



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