

Issue: Consolidation of grievances for a single hearing; Ruling Date: August 16, 2012; Ruling No. 2013-3411, 2013-3312; Agency: Department of Corrections; Outcome: Consolidation Granted.



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

**CONSOLIDATION RULING**

In the matter of the Department of Corrections  
Ruling Numbers 2013-3411, 2013-3412  
August 16, 2012

This ruling addresses the consolidation of the grievant's two grievances filed with the Department of Corrections (the agency). 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 June 12, 2012 and June 13, 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 agency has asked for appointment of a hearing officer in these matters. The grievant does not object to the consolidation.

DISCUSSION

Approval by the Office of Employment Dispute Resolution (EDR) at 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.<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>

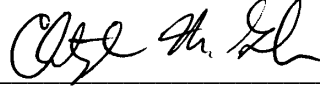
EDR finds that consolidation of the grievant's June 12, 2012 and June 13, 2012 grievances is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. The grievances all relate to disciplinary actions issued to the grievant that led to her termination. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's June 12, 2012 and June 13, 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.*

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



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Christopher M. Grab  
Senior Consultant  
Office of Employment Dispute Resolution

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<sup>3</sup> See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).