

Issue: Consolidation of grievances for a single hearing; Ruling Date: August 21, 2012; Ruling No. 2013-3413, 2013-3414; Agency: Old Dominion University; Outcome: Consolidation Granted.



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

CONSOLIDATION RULING

In the matter of Old Dominion University
Ruling Numbers 2013-3413, 2013-3414
August 21, 2012

This ruling addresses the consolidation of the grievant's June 18, 2012 grievance filed with Old Dominion University (the University) with her dismissal grievance. 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 concern separate Written Notices issued to the grievant, the latter of which culminated in her termination. After the parties failed to resolve the June 18, 2012 grievance during the management resolution steps, the University has asked for appointment of a hearing officer. EDR has already been in possession of the grievant's dismissal grievance, as it was filed directly with this Office on or about August 1, 2012.

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.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 June 18, 2012 grievance with her dismissal grievance 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 eventually led to her termination. Further, we find that

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

consolidation is not impracticable in this instance. Therefore, the grievant's June 18, 2012 grievance and her dismissal grievance 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).