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CONSOLIDATION RULING

In the matter of the Department of Juvenile Justice
Ruling Number 2025-5909
June 26, 2025

This ruling addresses the consolidation of two grievances filed with the Department of Juvenile Justice (the “agency”). For the reasons discussed below, the Office of Employment Dispute Resolution (EDR) at the Department of Human Resource Management (DHRM) finds that consolidation of these grievances for a single hearing is appropriate and practicable.

FACTS

The grievant has initiated two grievances with the university, pending with EDR as follows:

- 1) A grievance dated May 31, 2025, challenging a Group I Written Notice that alleged violations of professionalism requirements, insubordination, and unsatisfactory performance; and
- 2) A second grievance dated May 31, 2025, challenging a Group II Written Notice that alleged failure to follow policy/instructions and insubordination.

Following the agency head’s determination that both grievances were qualified in full for a hearing, the agency forwarded both grievances to EDR with a single Grievance Form B. Our office then solicited the parties’ positions on consolidating the two grievances. Neither party raised an objection.

DISCUSSION

Approval by EDR 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

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

EDR finds that consolidation of these two cases is appropriate. These grievances involve the same parties and appear likely to share at least some common themes, claims, and witnesses. Both grievances involve discipline for the grievant's alleged failure to follow instructions. Further, we find that consolidation is not impracticable in this instance.

Therefore, the two grievances are consolidated for a single hearing.³ A hearing officer will be appointed to the consolidated cases by separate correspondence.

EDR's rulings on compliance are final and nonappealable.⁴

Christopher M. Grak
Director
Office of Employment Dispute Resolution

³ Pursuant to the fee schedule established by EDR's Hearings Program Administration policy, two consolidated grievances shall be assessed a total flat hearing fee of \$5,000. See EDR Policy 2.01, *Hearings Program Administration*, Attach. B.

⁴ See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).