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**CONSOLIDATION RULING**

In the matter of the Department of Juvenile Justice  
Ruling Number 2025-5849  
March 19, 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 into a single hearing is appropriate and practicable.

**FACTS**

The two grievances at issue in this case are:

- 1) a grievance dated October 15, 2024, challenging one Group II and one Group III Written Notice, both issued on September 16, 2024; and
- 2) a dismissal grievance dated January 25, 2025, challenging a Group III Written Notice with termination, currently pending for a hearing as Case Number 12245.

The agency has requested consolidation of these matters.

**DISCUSSION**

Approval by EDR in the form of a compliance ruling is required before two or more grievances may be consolidated for 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> After the appointment of a hearing officer, EDR may consolidate the matter “where it substantially serves the interests of efficiency and would not unduly burden either party.”<sup>3</sup>

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

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

<sup>3</sup> *Id.*

EDR finds that consolidation of the October 2024 and January 2025 grievances is appropriate. These grievances involve the same parties, and both relate to formal disciplinary action issued to the grievant. Thus, the grievances appear likely to share common themes, claims, and witnesses. Further, we find that consolidation is not impracticable or apparently burdensome to the parties in this instance. Accordingly, the two grievances are consolidated for a single hearing.<sup>4</sup>

EDR has already appointed a hearing officer for Case Number 12245 – the January 2025 dismissal grievance. By separate correspondence, that appointment will be amended to include the October 2024 grievance as Case Number 12254. No further action by the parties is required as it relates to consolidation.

EDR's rulings on compliance are final and nonappealable.<sup>5</sup>

*Christopher M. Grab*  
Director  
Office of Employment Dispute Resolution

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<sup>4</sup> Pursuant to the fee schedule established by EDR's Hearings Program Administration policy, two consolidated grievances shall be assessed at a flat fee of \$5,000. See EDR Policy 2.01, *Hearings Program Administration*, Attach. B.

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