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## Judicial Branch Withdraws State of CT Judicial Branch v. Judicial Employees Local 749, AFSCME Council 4

The Judicial Branch has withdrawn the motion to vacate the arbitration award in an earlier grievance against a CTU employee. The Juvenile Detention Central Transportation Officer, who was terminated for what the branch called was a violation policy, has been reinstated, and the Branch has withdrawn their appeal of this decision after the Union filed a State Prohibited Practices complaint (labor board charge).

In October 2016, a Juvenile detainee threatened to hit two CTU officers. The Juvenile then escaped the facility, when the CTU officers properly followed Branch policy which states "Do not pursue" if a juvenile escapes. The CTU Officer was cited with violation of policy for the incident, and placed on unpaid administrative leave. He was subsequently terminated in February of 2017. The Union grieved the Officer's termination, eventually bringing the matter to arbitration in February 2018, where it was ultimately successful, and the Officer was ordered back to work in March 2018.

The Branch refused to reinstate the Officer, and in April, filed a Motion to Vacate the arbitrator's award. A few weeks ago, the SPP was filed by Service Representative Wayne Marshal, stating an attempt to vacate the arbitrator's award was repudiation of the contract. Within a few days of receiving this SPP filing, the Branch withdrew its motion.

Article 10, Section 6 of the Collective Bargaining Agreement between State of Connecticut Judicial Branch and State of Connecticut Judicial Employees Local 749, AFSCME, AFL-CIO, states in Step 4. that "Within thirty (30) days after the appropriate response at Step 3, or if no response is forthcoming, after the expiration of the time limit, AFSCME may submit an unresolved grievance to arbitration...", and in Section 11 (c), paragraph 3, that "The arbitrator's decision shall be final and binding on the parties in accordance with Connecticut General Statutes § 52-418..." and in paragraph 4 that "As to the specific express provisions of the Agreement, the parties have bargained for the arbitrator's construction. Absent any of the above grounds for overturning an award, the courts shall not substitute their interpretation for that of the arbitrator."

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