

**Cuyahoga County Juvenile Court Arbitration Decisions and Grievance Settlements:**

1. 3/5/2014 Kiturah Greeney Settlement – The Court paid **\$17,500** and split the arbitrator’s cancellation fee to avoid an arbitration hearing.

**TOTAL COST TO COURT = \$17,500**

2. 4/29/2014 Clevon Kirkland Settlement – The Court paid **\$7,500** and parties split the arbitrator’s cancellation fee to avoid an arbitration hearing.

**TOTAL COST TO COURT = \$7,500**

3. 6/16/2014 Charles Harris Arbitration Decision – The Court lost an Arbitration to Local 860. The Arbitrator ordered that the Grievant be reinstated and ordered the Court to pay the Grievant nearly one full year of back pay, which amounted to approximately **\$32,000**, and to restore all of his benefits and seniority, such as crediting the Grievant the vacation time that he would have accrued during that time he was off work. In addition to this sum, the Court also had to pay **\$1,750** in Arbitrator’s fees, plus their share of the transcript costs.

**TOTAL COST TO COURT = \$33,750**

4. 11/29/2016 Gerald McHenry Settlement – The Court paid **\$5,000** to the Grievant in order to avoid an arbitration hearing.

**TOTAL COST TO COURT = \$5,000**

5. 4/24/2017 Frederick Alexander Arbitration Decision – The Court lost a second Arbitration to Local 860. There, the Arbitrator ordered that the Grievant be reinstated and ordered the Court to pay the Grievant nearly fifteen months of back pay, which amounted to approximately **\$40,300**, and to restore all benefits and seniority, In addition to this sum, the Court also had to pay **\$9,810.00** in Arbitrator’s fees, plus their share of the transcript costs.

**TOTAL COST TO COURT = \$50,110**

6. 7/6/2017 Andrew Stith Settlement - -- The Court paid the Grievant **\$11,250** and paid the entire cost of the arbitrator’s cancellation fee, which was **\$1,663** in order to avoid arbitrating the grievance.

**TOTAL COST TO COURT = \$12,913**

7. 1/22/2018 Saadiga Raheem Settlement – The Court rescinded the Grievant’s 5-day suspension in full, and paid the grievant the approximately **\$560** he would have earned during the five days he was off of work.

**TOTAL COST TO COURT = \$560**

8. 11/5/2018 Training-OT Grievance Settlement – To avoid Arbitration, the Court paid approximately 38 employees 1 hours pay x numerous days (for previously unpaid lunch periods), which, in total amounted to \$\_\_\_\_\_.

**TOTAL COST TO COURT = \$\_\_\_\_\_**

9. 5/21/2019 Derrick Young Arbitration Decision – In this matter, the Arbitrator determined that the Court improperly denied overtime compensation to the Grievant during the period of his administrative leave, so the Court was directed to pay the Grievant 16 hours at time and one-half of his base hourly rate for each and every 80-hour pay period between July 18, 2017 and February 20, 2018 (minus 10 days). Based on this award, the Court owed the grievant approximately **\$8,508**. In addition, the back pay, the Court paid its share the Arbitrator’s fee, which was **\$9,870**, plus the costs of the transcripts

**TOTAL COST TO COURT = \$18,378** (*Note: The backpay portion of this, \$8,508, has not been paid yet, it is pending ongoing litigation*)

10. 1/31/2020 Mileage Grievance Settlement - To avoid Arbitration, the Court paid employees the difference in mileage rates actually paid and the contractually required rates, which, in total amounted to **\$7,163.74**.

**TOTAL COST TO COURT = \$7,163.74**

11. 3/9/2020 – Sowen Lockridge Settlement – To avoid Arbitration, the Court paid the Grievant **\$47,500** in backpay plus an additional **\$10,000**. The Court also paid the entire cost of the arbitrator’s cancellation fee, which was **\$2,800**.

**TOTAL COST TO COURT = \$60,300**

12. 7/15/2020 Rodney Axson Settlement – To avoid arbitration, the Court paid the Grievant **\$21,000** plus its share of the cost of the arbitrator’s cancellation fee, which was **\$750**.

**TOTAL COST TO COURT = \$21,750**

13. 7/24/2020 OT Griev./FLSA Case Settlement – In order to avoid a federal lawsuit for failure to properly calculate the overtime rate of wages, the Court paid multiple bargaining unit members a total sum of **\$61,593.61**.

**TOTAL COST TO COURT = \$61,593.61**

14. 8/24/2020 Ashley Gristwood Settlement – To avoid arbitration, the Court agreed to reinstate the Grievant plus pay her **\$15,905.20** in backpay. Additionally, the Court paid the entire cost of the arbitrator’s cancellation fee, which was **\$2,400**.

**TOTAL COST TO COURT = \$18,305.20**

15. 9/25/2020 Iyesha Ivey Settlement – To avoid arbitration, the Court paid the Grievant **\$2,500** and also paid its share of the cost of the arbitrator’s cancellation fee, which was **\$900**.

**TOTAL COST TO COURT = \$3,400**

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**GRAND TOTAL COST TO COURT FOR ALL 15 GRIEVANCE SETTLEMENTS AND ARBITRATION DECISIONS LIST ABOVE = \$318,223.55** (Note: This figure does not include the damages paid out by the Court regarding the 11/5/2018 Training-OT Grievance Settlement, since that number is not known. It is also important to point out that this figure does not include the significant attorney’s fees/legal cost that the Court would have paid for each of the above cases. It is hard to put a number on this cost, but it is substantial. Most likely, the Juvenile Court paid out tens of thousands of dollars in attorney’s fees/costs related to these above-named grievances and arbitration cases.

In addition to all of the above, the Juvenile Court has also filed, or caused to be filed, the following lawsuits:

1. On 8/27/2014, Local 860 filed a complaint in Cuyahoga County Common Pleas Court based on the Juvenile Court’s refusal to arbitrate several grievances and based on the Juvenile Court’s unauthorized changes to the CBA. This case was settled on 3/21/2017 with the Court agreeing to pay numerous employees various amounts of damages to resolve the litigation. The total cost to the Court to settle this case was **\$22,205.97**.
2. On 3/19/18, Local 860 filed a complaint in Cuyahoga County Common Pleas Court based on the Juvenile Court’s refusal to process multiple grievances through the grievance procedure, including to arbitration. The Common Pleas Court ruled in favor of the Union, but the Juvenile Court appealed to the 8<sup>th</sup> Appellate District. Ultimately, the appeals court also ruled in the Union’s favor.
3. On 6/5/2019, the Juvenile Court filed a lawsuit in Cuyahoga County Common Pleas Court in an attempt to overturn an arbitration decision that was lawfully decided – in the Union’s and grievant’s favor - under the CBA. This case is still ongoing, and the Union will continue to vigorously litigate this case until justice is served.

4. On 12/1/2020, the Juvenile Court filed 2 lawsuits in the Cuyahoga County Common Pleas Court to effectively get rid of the Union. As a countermeasure, the Union filed several counterclaims in state court challenging the Juvenile Court's illegal attempt at getting rid of the Union. Separately, the Union also initiated a federal court lawsuit against Tess Neff and Judge Thomas O'Malley for violating the United States Constitutional rights possessed by Local 860 and all of its members employed by the Juvenile Court. These cases are still ongoing, and the Union will continue to vigorously litigate these cases until justice is served.

Note: *While it is hard to put a solid number on the financial cost incurred by the Juvenile Court for the above-described lawsuits and negotiations, it is undeniable that the Juvenile Court sustained significant attorney's fees/costs for these actions. Most likely, the Juvenile Court paid out tens of thousands of dollars in attorney's fees/costs related to these lawsuits.*