

ARBITRATION CASE

Before

Montgomery County Council of  
Supporting Services Employees

William M. Edgett  
Name of Arbitrator

v.

April 10, 1996  
Date of Decision

Board of Education of  
Montgomery County

**Issue: (Use exact issue as framed)**

Grievability of disciplinary action based on evaluation. Board contends that action taken because of evaluation can be processed through administrative complaint procedure but not grieved.

Is employee who is promoted to higher level position permanent in position until they receive "permanent status" in position in evaluation process?

**CONTRACT PROVISION(S):**

Article 17, Discipline and Discharge - Section A

**DECISION: (Include brief synopsis of arbitrator's reasoning)**

Grievance denied. Arbitrator ruled that removal from position is not a demotion until permanent status is granted.

**COMMENTS: (Local negotiator input on effects of decision on system)**

This was a major decision for us regarding several pending cases.