

Spring 2010
First Day Assignment

For the first day of class, we will discuss two discharge cases heard in arbitration:

In the first case, **THE MAGIC KINGDOM** fires a long-term employee for stealing a few pennies worth of candy. The Union brings the case to arbitration. Did management have “just cause” under the terms of the collective bargaining agreement between the employer and the union? What ever happened to “justice” or “fairness?” (“Are you having a magical day?”)



In the second case, a supermarket discharges an employee who deliberately lied on his application for employment by supplying a false social security number. The arbitrator shows great compassion for the employee, a distinct contrast from the neutral in the first case. Is this case correct?



Compare these arbitration opinions with more familiar court opinions. What differences do you see, if any? What can explain these differences?

Read pages 1-19 for the first day of class and come to class prepared to discuss these two arbitration cases.