

Closing Statement Example

Good Evening Arbitrator Linenski,

After hearing all the testimony and reviewing all of the evidence today I am positive you see that we had just cause for termination.

In our opening statement we talked about the case Glazer # 11. This arbitration case evidenced how the employee violated the anti-harassment provision of the contract, was consequently suspended and then warned that if a violation of the policy occurred again it would result in a discharge.

Like the facts of Glazer #11, the grievant in this case, Officer Sue, was disciplined for prior harassing behavior and then warned that further such behavior could result in discharge.

We are here today, because Officer Sue did not stop at one offense. She did not learn from her past mistakes. Officer Sue was terminated from her employment because of her very aggressive behavior as well as her use of intimidation and lust for power over smaller and weaker people. The most recent victim, James, is a 7 year old boy.

As we conducted the interview process we uncovered Officer Sue's true personality. She has demonstrated her power over others by bullying, harassing, and intimidating smaller and weaker people. We found Officer Sue in clear violation of rules 3, 8, and 14. Also during our interview process, we found no mitigating circumstances that would explain or excuse her abusive behavior.

Here is a quick reminder of what the rules are: In Rule 3, it states that employees shall not touch or speak to anyone in an unreasonably abusive or harassing manner. Sue violated this rule while she arrested James and used words that he wouldn't be able to understand as she explained his detention to him. Rule 8 states that employees shall not engage in behavior that is harmful to the reputation of the employer. As you have heard, Arbitrator Linenski, there was a crowd of people (neighbors, friends, and family), that watched the incident. This action caused psychological distress to the parents and the boy.

Finally, Rule 14 states that employees shall not use the authority of the employer, a governmental authority, in an abusive or demeaning manner. This rule was violated when Officer Sue confined James. She told us in the investigatory interview that she was trying to "teach him a lesson." She used big words like "incorrigible juvenile." How many seven year old would know what that means? Did she really mean to communicate with the boy or was she simply being a bully with a badge?

Yes, little ones can be a handful but his parents were right there; so why arrest him and put him in the car?

At this time we request that you deny the grievance and uphold the termination of Officer Sue. Thank you.

Please note:

Here is the link to the rule violations from you tube -
<http://www.youtube.com/watch?v=idO07rk5YVY&feature=related>

The arbitrator that heard this case said that he would not use arbitration awards typically in opening and closing statements. He indicated that he thought the proper place for such awards was in closing briefs.

Our students do not write closing briefs so the only time for them to mention the arbitration awards is in the opening and closing statements. The arbitrator is correct, however, closing briefs are preferable.

The arbitrator stated that he thought this was a convincing closing argument so we have provided it to you as an example. This is just an example. All cases deserve their own carefully crafted opening and closing statement and/or briefs.