

**THE COURT OF APPEALS OF OHIO**  
**SECOND APPELLATE DISTRICT**  
**CASE SUMMARIES**  
**December 1, 2023**

These case summaries are issued for the convenience of the public, the bench, and the bar. They are a brief statement of the court's holdings and are not to be considered headnotes or syllabi. Copies of opinions are available from the particular county's clerk of courts. The full text of each opinion will be available on the Ohio Supreme Court's website at <http://www.supremecourt.ohio.gov/rod/docs/?source=2>.

Case Name: *Amalgamated Transit Union, Local 1385 v. Greater Dayton Regional Transit Authority*  
Case No: Montgomery C.A. No. 29800; T.C. Case No. 2018 CV 5282  
Panel: Tucker, Lewis, Huffman  
Author: Ronald C. Lewis  
Summary: The trial court erred by overruling the union's motion to enforce the trial court's judgment, which had confirmed arbitration awards, without first holding an evidentiary hearing to determine whether the employer's payments to the three reinstated employees made them whole in terms of wages and benefits, as required by the arbitration awards. The fact that the three reinstated employees had accepted payments from their employer after the arbitration proceedings had concluded did not constitute ratification, because the union was the party to the arbitrations, not the employees. Judgment reversed and remanded. (Tucker, J., concurring.)

Case Name: *Amalgamated Transit Union, Local 1385 v. Greater Dayton Regional Transit Authority*  
Case No: Montgomery C.A. No. 29801; T.C. Case No. 2019 CV 4256  
Panel: Tucker, Lewis, Huffman  
Author: Ronald C. Lewis  
Summary: The trial court erred by overruling the union's motion to enforce the trial court's judgment, which had confirmed an arbitration award, without first holding an evidentiary hearing to determine whether the employer's payment to the reinstated employee constituted full back pay and benefits, as required by the arbitration award. The fact that the reinstated employee had accepted a payment from his employer after the arbitration proceeding concluded did not constitute ratification, because the union, not the employee, was the party to the arbitration. Judgment reversed and remanded. (Tucker, J., concurring.)