

OHIO COURT OF APPEALS, TENTH APPELLATE DISTRICT

Garrison v. Columbus

2026-Ohio-1981 · No. 24AP-742 & 24AP-743 · Decided May 28, 2026

SUMMARY

Robin Garrison appealed the Franklin County Court of Common Pleas judgment affirming the Columbus Civil Service Commission's termination of his employment as a firefighter. The consolidated appeals arose from disciplinary matters involving alleged sexually harassing and retaliatory conduct toward a coworker and an allegedly racially harassing workplace comment. The excerpt recounts the evidence presented at the Commission hearing and the disciplinary proceedings.

CASE DETAILS

COURT	Ohio Court of Appeals, Tenth Appellate District
WRITING FOR THE COURT	Mentel, J.; Jamison, J.; Edelstein, J.
JURISDICTION	Ohio Court of Appeals, Tenth Appellate District
DECIDED	May 28, 2026
DOCKET	24AP-742 & 24AP-743
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Franklin County Court of Common Pleas' affirmance of the Columbus Civil Service Commission's order terminating Garrison's employment as a firefighter.
STANDARD OF REVIEW	For a classified city firefighter's appeal under Ohio Revised Code 124.34(C), the common pleas court conducts a trial de novo and may independently determine conflicting factual issues. The court of appeals reviews the common pleas court's judgment for abuse of discretion and will reverse only if the decision is unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	Published and precedential Ohio Court of Appeals decision
PARTIES	Robin Garrison v. City of Columbus, Department of Public Safety, City of Columbus, Columbus Civil Service Commission

TOPICS

employment law

sexual harassment

administrative law

municipal law

standard of review

PRACTICE AREAS

employment law

administrative law

municipal law

appellate procedure

QUESTIONS PRESENTED

1. Whether the Franklin County Court of Common Pleas abused its discretion by finding that Garrison violated Columbus Central Work Rules 2 and 8 and the City's anti-harassment and sexual-harassment policy.
2. Whether termination was an appropriate sanction for Garrison's violations.
3. Whether the common pleas court judge was required to recuse herself or disclose her personal discrimination complaint under the Ohio Code of Judicial Conduct.
4. Whether the court of appeals had jurisdiction to adjudicate alleged violations of the Code of Judicial Conduct or claims of judicial bias and disqualification.

HOLDINGS

1. The common pleas court did not abuse its discretion in finding that Garrison's 'stand on their neck' comment violated Columbus Central Work Rules 2 and 8 and the City's anti-harassment and sexual-harassment policy.
2. The common pleas court did not abuse its discretion in upholding termination as an appropriate sanction.
3. The court of appeals lacked jurisdiction to resolve alleged violations of the Code of Judicial Conduct or claims that the common pleas court judge was biased or prejudiced. Those matters must be pursued through the appropriate judicial-discipline or judicial-disqualification procedures.

KEY QUOTATIONS

“In a “trial de novo,” the court of common pleas may “substitute its own judgment on the facts for that of the commission, based upon the court’s independent examination and determination of conflicting issues of fact.”” (¶ 36)

“It is reasonable to believe that, based on Garrison’s repeated violations of the same rules at issue in this case, he has demonstrated an inability or unwillingness to follow the rules going forward.” (¶ 49)

“Furthermore, R.C. 2701.03 provides the exclusive avenue for a party to assert that a common pleas court judge is biased or prejudiced through the filing of an affidavit of disqualification.” (¶ 53)

FACTUAL BACKGROUND

Robin Garrison, a Columbus firefighter, made comments to coworker Jennifer Wilkinson that were investigated as sexual harassment and retaliation, and separately made a comment in the Fire Alarm Office about standing on someone's neck during protests following George Floyd's murder. The City determined that the conduct violated Columbus Central Work Rules and the City's anti-harassment and sexual-harassment policy. Considering the comment's context and Garrison's prior disciplinary record, the City terminated him, and the Civil Service Commission and common pleas court upheld the termination.

PROCEDURAL HISTORY

Garrison was terminated by the City of Columbus on July 8, 2021, and appealed to the Columbus Civil Service Commission. The Commission upheld the termination on December 13, 2021. Garrison appealed to the Franklin County Court of Common Pleas; the administrative appeals were consolidated, and the common pleas court affirmed on November 25, 2024. The Tenth District affirmed the common pleas court's judgment and denied Garrison's motion for leave to file supplemental authority.

DISPOSITION

affirmed

CASES CITED

- Baron v. Civ. Serv. Bd., 2012-Ohio-6179, ¶¶ 13, 19 (2d Dist.)
- Westlake Civ. Serv. Comm. v. Pietrick, 2015-Ohio-961, ¶¶ 24-25
- Chupka v. Saunders, 28 Ohio St.3d 325, 331 (1986) (Brown, J., concurring)
- Adebisi v. Toledo, 2021-Ohio-1902, ¶ 11 (6th Dist.)
- Sandusky v. Nuesse, 2011-Ohio-6497, ¶ 47 (11th Dist.)
- Raizk v. Brewer, 2003-Ohio-1266, ¶ 10 (12th Dist.)
- Ward v. Cleveland, 2002-Ohio-482 (8th Dist.)
- State v. Beasley, 2018-Ohio-16, ¶ 12
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- State v. Ford, 2019-Ohio-4539, ¶ 106
- AAAA Ents., Inc. v. River Place Community Urban Redevelopment Corp., 50 Ohio St.3d 157, 161 (1990)
- State v. Morris, 2012-Ohio-2407, ¶ 14
- In re Disqualification of First Dist. Court of Appeals, 2015-Ohio-2834, ¶ 5
- In re Disqualification of George, 2003-Ohio-5489, ¶ 5
- State v. Hayes, 2025-Ohio-2238, ¶¶ 18-20
- In re Disqualification of Allen, 2023-Ohio-3238, ¶ 35

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