

**BEFORE THE
AMERICAN ARBITRATION ASSOCIATION**

IN THE MATTER OF:)
)
Fraternal Order of Police Lodge #5)
)
and) Case No. 01-19-0003-1619
)
City of Philadelphia)
)
Grievance: Cpl. Denise D. Youmans)
() – Two-Day Suspension)
_____)

OPINION AND AWARD

Before: Alan A. Symonette, Esq.
Impartial Arbitrator

Appearances: Fraternal Order of Police Lodge 5 Jessica Caggiano, Esq.
City of Philadelphia Tiffany R. Allen, Esq.

Subject: Suspension, Written Reprimand, Failure to Supervise, Neglect of Duty, Just Cause, Arbitrability, Evidence

Date of Grievance: August 27, 2019

Date of Hearing: June 22, 2020
Virtual Teleconference

Statement of the Award: The Grievance is sustained in part. For the reasons stated herein, the Charge of Failure to Supervise shall be reduced from a two-day suspension to a reprimand, the Grievant shall be compensated for the two days lost and her disciplinary record amended to reflect that change. With respect to the charge of Neglect of Duty, this arbitrator has no jurisdiction because the charge was never specifically grieved by the Union.

INTRODUCTION

This matter concerns a dispute that has arisen pursuant to the Agreement between the City of Philadelphia and the Fraternal Order of Police Lodge No. 5. The underlying grievance was filed by the Union on August 27, 2019 on behalf of the Grievant Corporal Denise Youmans. The grievance alleged that Cpl. Youmans was suspended for two days without just cause. The Union is demanding that the Grievant be “made whole in all respects.”

The City asserted in its charge that the Cpl. Youmans violated Article VIII, Section 8-§004-10 of the Disciplinary Code by failing to take supervisory action in a timely matter on [REDACTED]. On May 16, 2019, the PBI unanimously found the Grievant guilty of the Charge and recommended a two-day suspension. At the same hearing the PBI considered an addition charge where Grievant was charged with violating Article V, Section 5-§011-10 – “Failure to comply with any Police Commissioner’s orders, directives, memorandums, or regulations; or any oral or written orders of superiors.” She was found guilty and the PBI board and issued a written reprimand.

On Friday October 4, 2019, the Union demanded the matter be arbitrated pursuant to the Voluntary Labor Arbitration Rules of the American Arbitration Association. The undersigned Arbitrator was selected from a panel to hear and decide the dispute. The hearing was held through teleconference on June 22, 2020. At the arbitration hearing, the Union asked the arbitrator to consider whether the written reprimand was also for just cause. The City stated that the written reprimand was not arbitrable because it was not mentioned in the initial August 27, 2019 grievance. The Union on the other hand asserted that the charge was considered at the same time by the PBI board and the City did not address its arbitrability until the day of the hearing.

Throughout the hearing, the parties were represented by counsel who presented evidence through the sworn oral testimony of witnesses and documents. Counsel for each party had the opportunity to confront the evidence presented by the opposing side. The hearing was closed after the presentation of oral summations.

BACKGROUND

The Grievant is a Corporal in the Philadelphia Police Department. At the time of her suspension, she had been a sworn police officer for twenty years and until this incident she had not received any other discipline. At all times material herein, she was a supervisor in the Records and Identification Unit located at Police Headquarters. The Unit is generally responsible for processing arrest warrants, fingerprint records and other related documents. Her shift at the time was 3:00 pm to 11:00 pm. On the date of the incident that resulted in her suspension, ██████████ the Grievant was assigned to supervise a mix of civilian and sworn employees in the Unit. She had approximately eight clerks under her supervision. The Grievant reported to Sergeant T ██████████ M ██████████ and Lt. G ██████████ K ██████████.

The incident involved one of the clerks under the Grievant's supervision Ms. B ██████████ J ██████████. According to the testimonial and documentary evidence presented, all the employees supervised by the Grievant arrived between 2:30 and 3:00 pm. Employees are expected to sign in at the desk which is occupied by the Grievant. Ms. J ██████████ arrived and attempted to sign in. The Grievant and other coworkers noticed that her speech appeared to be slurred and her handwriting was somewhat illegible. The Grievant asked Ms. J ██████████ ██████████ if she was ok to which she responded that she was. One of her coworkers, Ms. S ██████████ M ██████████ recalled Ms. J ██████████ bumping into her desk and she moved to her location.

By 4:30 pm Ms. J [REDACTED] had fallen asleep at her desk such that she began to snore. The Grievant recalled at least twice verbally calling to her to wake up. After the second attempt she woke up and the Grievant suggested that she stand up and walk around if she feels sleepy. The Grievant testified that employees falling asleep at their desks were a concern which had been previously addressed with the civilian employees and the chain of command.

The Grievant then gave Ms. J [REDACTED] a filing assignment but noted that she had disappeared from the records room and did not return for another 45 minutes. The Grievant testified that when she returned, she appeared to be leaning on a cabinet to keep her balance. The Grievant also reported in her memorandum to Lt. K [REDACTED] that she had assigned her a job at 5:27pm but by 6:08 pm the job had yet to be processed. Finally, at 6:15pm the Grievant noticed that Ms. J [REDACTED] speech was slurred.

By 6:30 pm Ms. J [REDACTED] signed out for lunch and left the area and returned an hour later. The Grievant reported that when she returned, it was apparent that she was unable to walk in a sturdy manner, her speech was extremely slurred, and her speech appear to be wet from behind. At 7:42 that evening, the Grievant called LT. K [REDACTED] and Sgt. M [REDACTED]. to inform him of the situation. She testified that she was instructed by Lt. K [REDACTED] that he be informed if anything unusual happens in the unit. At that time, the Grievant noted that Ms. J [REDACTED] was seen packing her personal belongings as though she was leaving. She asked her if she was calling off sick and she said no. Lt. K [REDACTED] testified that he called the Grievant back and asked her if she was aware that she was diabetic and instructed the Grievant to find other supervision to cover while she dealt with the employee.

By 8:33 pm the Grievant called 911 and requested EMT to come to evaluate Ms. J [REDACTED] [REDACTED]. While waiting for the Medic to arrive, the operator asked Ms. J [REDACTED] some

preliminary question regarding her health. According to the Grievant, she recalled the operator asking her if she had been drinking and she replied, “Yes, I had some wine.” She informed the operator that Ms. J. ██████████ was supposed to be working. By 8:53 pm the EMT arrived. By that time, the Captain responsible for the night command had arrived as well. Responding to questions from paramedics Ms. J. ██████████ first stated she did not want to go to the hospital but changed her mind after talking to medical staff and the EMT. Afterwards, the Grievant drafted a memorandum describing her encounters with the employee and submitted it to Lt. K. ██████████.

He conducted an investigation that included interviews with all the employees that were in the room including three civilian workers. He then presented the information to the Department Advocate who recommend that the Grievant be charged with failure to supervise Ms. H. ██████████ who was under her supervision. He concluded that the Grievant became aware that Ms. H. ██████████ was acting in an unusual manner when she reported at the beginning of the shift. She had slurred speech and trouble walking. She also fell asleep at her desk and had to be awakened. Then she was allowed to go to lunch and could possibly have used her vehicle to grab lunch. It was felt that the Grievant should have gotten Ms. J. ██████████ ██████████ some help earlier in the shift. Yet no action was taken more than 5 hours later.

If there was an issue of coverage, the Grievant could have called the civilian supervisor to cover and she should never have let her leave the building. Accordingly, she was charged with a violation of Article VIII Section 8-§004-10 Failure to take Supervisory Action. The Specification stated as follows:

On Tuesday, ██████████, on the 3PM x 11PM tour of duty, you failed to take supervisory action in a timely manner. Civilian B. ██████████ J. ██████████ reported for her shift and you noticed that her speech was slurred, and her handwriting was illegible. You asked her if she was OK and she responded “yes”. However, at

4:34PM, you heard Ms. J. ██████████ snoring and called her name to awaken her, suggesting that she “get up and walk around”. At 4:44PM Ms. J. ██████████ disappeared from the Records Section and reappeared at 5:27PM. At 6:15PM you asked her about a pending job and her speech was extremely slurred. She reported off for lunch at 6:30PM and upon her return was unable to walk steadily, exhibited slurred speech and was combative, also it appeared that she had urinated herself, as her clothing was wet from behind. You did not notify Night Command and/or call a Medic until 8:33PM, 5 ½ hours after the incident started. Interview testimony revealed that Ms. J. ██████████ does have diabetes and also that both you and Corporal C. ██████████ S. ██████████ #8198 had a meeting with the Clerk Typists regarding sleeping at their workstations. Immediate supervisory action would have addressed both the “medical impairment” of Ms. J. ██████████ and her subsequent work behaviors.”

On or about ██████████ the Grievant received an order to appear in Court on ██████████ at 10:00am. According to the Grievant, she had a previously scheduled doctor’s appointment regarding knee replacement surgery. It had taken some time to schedule the appointment and it would be a hardship to reschedule it. Therefore, the Grievant sought to postpone her appearance. According to the City, if an officer is going to be late for a Court appearance, he or she must contact the supervisor and enter a Daily Attendance Report showing her time in Court. The Grievant did not contact her supervisor Sgt. T. ██████████ M. ██████████ to advise him that she was reporting late. Rather she contacted the Assistant City Solicitor assigned to the case F. ██████████ W. ██████████.

The Grievant contacted attorney W. ██████████ and informed him that she had a previously scheduled medical appointment and she would be late. According to a memorandum to Lt. K. ██████████, he explained that that would not be a problem so long as she arrived that afternoon. He did not amend the Court Notice to reflect her attendance. In addition, the Grievant did not amend the KTNQ System in charge of maintaining court notices. The Grievant arrived at court at 2:29 pm and left at 4:05 pm. She did not notify her Sergeant nor the Corporal in charge of the Daily Activity Reporting.

After reporting to Court, the Grievant reported for her regular assignment on overtime since it was her regular day off. Sgt. M██████ stated during the investigation, the Grievant's court time should have been entered based on her actual punch in and out time which would be 4 hours for a court notice on her regular day off. She would then get 8 hours for working in the unit and the total hours would be 12 hours for that day. According to the evidence presented, since there was no notification of an amendment to the time of the Notice, any time entry by the Grievant conflicted with the system and produced an error message. Rather than correct it in the DAR system, the Grievant left a handwritten note to Sgt. M██████ stating that "I tried to put the OT in correctly can you please check it. I got a message saying it has to reflect 13 hours."

On October 15, 2018 after an investigation including interviews with the Grievant and Sgt. M██████, Lt. K██████ recommended that charges be brought against the Grievant for violating Article V Section 5-§011-10, Failure to comply with any Police Commissioner's orders, directives, memorandums, or regulations; or any oral or written orders of superiors. The specification stated as follows:

On Thursday, ██████████, you were scheduled to attend court at 10:00AM. You were RDO on that date and checked in for court at 2:29PM and clocked out at 3:22PM. No notification was sent via KTNQ concerning your late arrival, and you subsequently updated the DARS with inaccurate times causing you to earn an additional hour of overtime. You have been counseled in the past regarding your entries in KTNQ and the DARS. Your actions are in violation of Departmental directives and policies.

The PBI Hearing was conducted on May 16, 2019 covering both charges. After the hearing, the 3-person panel headed by Lt. Larry Jacobs unanimously held that the Grievant violated Article V Section 5-§011-10 with the penalty range from Reprimand to 5 Days Suspension. She received the reprimand. The panel also unanimously found that the Grievant

violated Article 8 Section 8-§004-10 with the penalty range from Reprimand to 5 Days and/or Demotion. She received the two-day suspension.

The grievance filed on by the FOP alleged that the City violated the Agreement by suspending the Grievant for two days without just cause. The grievance did not mention the reprimand. In addition, when the FOP submitted its Demand for Arbitration it only alleged that the suspension violated the Agreement and again did not mention the reprimand.

STATEMENT OF THE ISSUE

The parties were able to stipulate to the following issue with respect to the suspension: Was the Grievant suspended for just cause? If not, what shall the remedy be? The City in addition has challenged the arbitrability of the Reprimand. If the Reprimand is considered on the merits the issue would be whether the was also just cause to discipline the Grievant? If not, what shall the remedy be?

SUMMARY OF THE ARGUMENTS OF THE PARTIES

The City argues that there was just cause to suspend the Grievant for her failure to supervise an employee in her unit. There is no dispute that the Grievant did not know exactly what was wrong with Ms. J ██████████. According to the testimony, there was a consideration whether she was intoxicated. No one knew the true answer. Regardless, this placed the Grievant on notice that Ms. J ██████████ was having a problem and action needed to be taken. She noted her slurred speech and tried to observe her but failed to call another supervisor to assist her. This all happened at the beginning of the shift. However, she allowed Ms. H ██████████ to continue working and eventually take a lunch break.

Ms. H ██████████' condition continued to deteriorate after he lunch hour. She continued to slur her speech, her walk was unsteady, and she had appeared to have soiled her clothing. The

Grievant was the sole supervisor on the unit and Lt. K██████ could not supervise at home. It is her job to ensure the safety of employees on her Unit which means that she should have acted sooner than 5 ½ hours into the situation before acting.

The PBI considered the charge and the evidence. The Grievant had an opportunity to testify. The penalty according to the Disciplinary Code ranged from a Reprimand to 5 days. Her evaluations and commendations were evaluated which served as a mitigating factor.

Accordingly, the Board agreed upon a two-day suspension which was proportional given the Grievant's responsibility to the unit and her work record. Therefore, the City contends that there was just cause to discipline the Grievant for failing to supervisor.

With respect to the reprimand the City first argues that the grievance was not arbitrable. The charge was never alleged in the Grievance and Demand for Arbitration even though it was considered by the PBI on the same day as the suspension.

With respect to the merits, there is no dispute that the Grievant was familiar with the necessary reporting systems that would be applied if she were going to be late to court. Her testimony that she did not know she could access the system was not credible. She had been trained in how to submit overtime hours and she had access to DAR reports. Accordingly, the City requests that the grievance be denied.

The Union on the other hand notes that the Grievant has been a Philadelphia Police Officer for over 20 years. She has a good reputation and a good work record. She has been promoted and has several commendations in her file. With respect to the suspension, the Union claims that there was no just cause for the charges. The Grievant did know that Ms. H██████ ████████ may not have been feeling well. However, the Grievant engaged her by asking how she was feeling. She said she was feeling fine. Therefore, there was no reason to take further action.

The Grievant was the only person on the Unit. Therefore, if she was going to look after Ms. H██████, she had to have supervision to take over for her.

The City's decision in this regard is nothing but a case of "Monday morning quarterbacking." The Grievant followed her responsibility at the time. According to her memorandum to Lt. K██████ she was clearly concerned but to discipline the Grievant for not deciding faster was disingenuous. Even though she observed Ms. H██████ she did not know what was wrong with her. It was only when she came back from lunch in a more severe condition did she take appropriate action.

Under those circumstances, it was appropriate to observe Ms. H██████ and document what had happened. She could not just jump to conclusions. When Ms. H██████ returned from lunch, it only took her twelve minutes to consult with her Lieutenant and call 911. Twelve minutes is not a basis to allege that the Grievant had failed to supervise Ms. H██████. The Grievant is a good employee and was forthright in meeting her obligations. Accordingly, there was no just cause to suspend her for two days.

With respect to the Reprimand, the Union claims that the matter is arbitrable because it was imposed on the same date and with the same PBI board. Moreover, the City did not raise the issue of arbitrability until the hearing itself. With respect to the merits of the charge, the reprimand was not appropriate. The Grievant was diligent in that when she realized that there was a conflict in her schedule, she reached out to the person responsible for initiating the Court order, the Assistant City Solicitor. He did not modify the Court order but told the Grievant that it was okay for her to come later in the day.

When the Grievant did attempt to enter her time accurately, she was unable to do so because the court notice had not been modified. Rather than proceed with the hour of overtime,

the Grievant honestly alerted Sgt. M [REDACTED] by leaving a handwritten note on her record. The Grievant's actions were honest and forthright. This did not warrant a reprimand. Therefore, there was no just cause for the discipline.

ANALYSIS

I have reviewed all the evidence presented including the notes of testimony, documents, and notes of the oral arguments. This matter concerns discipline against the Grievant a Corporal who, apart from these two charges, has twenty years of service, a good reputation and clean work record. She has been commended for her service. Indeed, in presenting the charges, Lt. K [REDACTED] has stated the following in his assessment: "In my time as Corporal Denise Youmans immediate supervisor, she has performed her duties in a satisfactory manner. She has a good understanding of Departmental Policies and Procedures. However, she sometimes makes administrative mistakes that a person with her experience as a Corporal and in the Records an Identification Unit should not be making." This decision is made in the context of this assessment as well as her service record.

The initial charge that gave rise to this grievance concerned the imposition of a two-day suspension for failure to supervise. The Police Department asserts that the Grievant failed to initiate action to address what had become a serious medical condition for one of the civilian employees in her unit. The basis of the charge was that Ms. J [REDACTED] was impaired due to a medical condition and it took approximately 5 ½ hours for the Grievant to diagnose and respond.

The evidence presented consisted of a detailed outline of Ms. J [REDACTED]' actions and when and how the Grievant determined that specific help was needed and called for the paramedics. According to the evidence presented, Ms. J [REDACTED] arrived and signed in but

the Grievant noticed that her speech was slurred, and her signature appeared to be impaired. The Grievant, responding to her observation queried the Ms. J ██████████. The Grievant asked Ms. J ██████████ if she was okay to which she stated that she was. Approximately 1 ½ hours later, Ms. J ██████████ was found asleep and snoring at her workstation. The Grievant woke her up and suggested that she should get up and walk around. Both the Grievant and Clerk Typist S ██████████ M ██████████ stated that workers falling asleep in her shift had been the subject of meetings with supervision. Therefore, workers falling asleep when work is slow was not particularly unusual on that shift and did not automatically indicate that there was a health crisis. The Grievant did respond in the sense that she did what was necessary to awaken the employee.

According to the Grievant's account, Ms. J ██████████ "disappeared" for approximately 45 minutes from 4:44 pm until 5:27 pm and she had not completed her assignment by 6:08 pm. The Grievant stated that she had spoken to the Ms. J ██████████ and found her speech to be extremely slurred. At this point in time, the Grievant should have spoken to her to check on her condition. Instead she was allowed to report off for lunch.

When she returned from lunch, Ms. J ██████████' condition had worsened. She was wet from behind, was combative and relied heavily on her desks to assist her in walking. It was at that time the Grievant decided to call Lieutenant K ██████████. It was only through that conversation that she learned that Ms. J ██████████ was diabetic and there was a possibility that she had been suffering from an episode of hypoglycemia. The Grievant called for assistance from the night command at 7:55 and did not call paramedics until 8:33.

The Grievant was charged with failure to supervise based on what was felt to be unreasonable delays in addressing her medical situation. While the Grievant was aware of her condition, it was felt that the Grievant should have taken more serious direct action. The PBI

considered this evidence and stated that the Grievant took 5 ½ hours to react. She should not have allowed her to go to lunch and called the paramedics at least two hours earlier. Lieutenant Jacobs, the chair of the PBI panel testified that, given that conclusion, the PBI considered the range of penalty from demotion or five-day suspension to reprimand. They chose “something in the middle.”

There was some delay in reacting to Ms. J [REDACTED] condition. However, it was not 5 ½ hours. According to the testimony, the Grievant only had reason to react after observing Ms. J [REDACTED] after she returned from lunch. After seeing her condition, she should have immediately called the EMT. Instead she spent time consulting with supervision and finding coverage from night command. This warranted a charge to alert the Grievant that she should not hesitate under future conditions. However, given the Grievant’s record and the evidence that she was aware of Ms. J [REDACTED] condition prior to the lunch hour, the failure to act sooner after the lunch hour was not egregious enough to warrant a two-day suspension. This deserved corrective action which could have been accomplished by a reprimand.

The Grievant was also charged with Neglect of Duty. On [REDACTED], the Grievant was scheduled to attend court at 10:00 am but knew that she had a necessary medical appointment that morning. While she notified the Assistant City Solicitor, she did not provide sufficient notification via KTNQ concerning her late arrival and used inaccurate times which caused her to earn an additional hour of overtime. It is apparent that this is a concern of supervision because the Grievant had been counseled in the past about such entries. The PBI unanimously decided to reprimand the Grievant at the same time it issued the 2-day suspension for the Grievant’s failure to supervise.

The Grievance challenging the suspension was submitted on August 27, 2019. In the statement of the violation, the Union said that the “Member, (Corporal Denise D Youmans) was suspended for two (2) days without just cause.” There was no mention of the reprimand for Neglect of Duty. The Union filed its demand for arbitration on October 4, 2019. Again, it stated that the City violated the Collective Bargaining Agreement because the “Member was suspended for two (2) days without just cause.” Again, there was no mention of the reprimand.

The Union claimed that this arbitrator had jurisdiction to decide the issue because it arose out of the same PBI hearing and the City had failed to raise the issue of arbitrability prior to the hearing. Indeed, the charge of Neglect of Duty arose out of the same PBI hearing. However, the Union neglected to mention the charge in either its submission of the grievance or demand for arbitration. The City was never officially notified that the charge was being challenged. Even though both charges were handled together, the Union had the obligation to notify the City that it was challenging the decision. Without an affirmative statement, one could easily reach the conclusion based on the representation that the Union challenged the 2-day suspension while not grieving the charge of Neglect of Duty.

This is not a question of failing to file in a timely manner when the parties are aware of the controversy in question regardless of the application of the time limits. Rather, but for the statements at the hearing, there was no basis for the City to assume that the reprimand was being challenged. Therefore, since the charge was not specifically grieved, I am unable to assert jurisdiction over this issue.

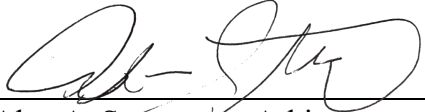
In summary I find that the charge of Failure to Supervise should be reduced from a two-day suspension to a reprimand, the Grievant shall be compensated for the two days lost and her

record amended to reflect the change. This arbitrator has no jurisdiction to decide on the Neglect of Duty charge because it was never specifically grieved by the Union.

AWARD

The Grievance is sustained in part. For the reasons stated herein, the Charge of Failure to Supervise shall be reduced from a two-day suspension to a reprimand, the Grievant shall be compensated for the two days lost and her disciplinary record amended to reflect that change. With respect to the charge of Neglect of Duty, this arbitrator has no jurisdiction because the charge was never specifically grieved by the Union.

Dated: September 2, 2020



Alan A. Symonette, Arbitrator
Media, Pennsylvania

**BEFORE THE
AMERICAN ARBITRATION ASSOCIATION**

IN THE MATTER OF:)
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Fraternal Order of Police Lodge #5)
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City of Philadelphia)
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Grievance: Cpl. Denise D. Youmans)
() – Two-Day Suspension)
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OPINION AND AWARD CLARIFICATION

Before: Alan A. Symonette, Esq.
Impartial Arbitrator

Appearances: Fraternal Order of Police Lodge 5 Jessica Caggiano, Esq.
City of Philadelphia Tiffany R. Allen, Esq.

CLARIFICATION

On September 2, 2020, this arbitrator issued an award that stated the following: “The Grievance is sustained in part. For the reasons stated herein, the Charge of Failure to Supervise shall be reduced from a two – day suspension to a reprimand, the Grievant shall be compensated for the two days lost and her disciplinary record amended to reflect that change. With respect to the charge of Neglect of Duty, this arbitrator has no jurisdiction because the charge was never specifically grieved by the Union.”

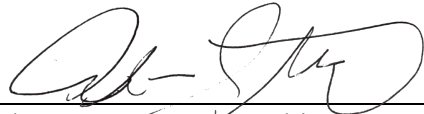
On October 5, 2020 Counsel for the FOP contacted the AAA and the City to request a clarification of the Award. Counsel stated “the Lodge respectfully requests clarification and wishes to bring to your attention that while the City has raised arbitrability regarding inclusion of the reprimand with the grievance before you, at the beginning of the case, it did, fairly early in

the hearing, withdraw the arbitrability issue initially raised after conferring with the Police Department's Labor Relations personnel. As a result of that withdrawal, the Union did not call any witness to address the arbitrability issue, nor did we argue that issue when we closed on the record. We recognize that there was no transcript taken for this particular hearing, but this is the Lodge's recollection of the status of the arbitrability issue initially raised in this case."

The arbitrator's notes did not indicate any record of the withdrawal of the arbitrability challenge by the City. After a query from the AAA Administrator, the City's counsel agreed to a conference call to discuss the request. The parties subsequently discussed the matter and it was determined and confirmed by the City that even though there was no documentation reflecting the agreement of the PBI Board, the parties had agreed to consolidate the two charges into one grievance for the purpose of arbitration.

After further discussion, the parties agreed that by the time the charge of Neglect of Duty was heard in arbitration, the reprimand had been removed from the Grievant's file pursuant to the terms of the Collective Bargaining Agreement. Therefore, the issue to be decided in that regard was moot. Accordingly, the initial Award shall be modified to withdraw the jurisdictional question and there will be no determination with respect to the Grievant's reprimand for Neglect of Duty since the matter was moot.

Dated: October 21, 2020



Alan A. Symonette, Arbitrator
Media, Pennsylvania