

REVIEW COMMITTEE DECISION

Review Committee File No. 1173
San Francisco Division L.I.C. Grievance No. 2-72-13

Statement of Facts

This case involves a five-day disciplinary layoff received by a Troublemaker. Briefly, what transpired prior to the layoff was that the Company received a complaint from a customer that the Troublemaker responding to a no-light complaint had stumbled in the door, knocked over and broken a break-front and, in the subsequent discussion with the customer, admitted that he had been drinking prior to coming on shift. The grievant later repeated the admission that he had seven or eight drinks before coming to work to the Local Investigating Committee.

Discussion

Although considerable discussion ensued at the Local Investigating Committee as to whether the employee was drunk or under the influence of alcohol, this, to the Review Committee, is not the important factor here. Of importance here is the fact that the grievant, a public-contact employee, admitted that he had consumed several drinks knowing he would be reporting to work on a regularly scheduled work day. Thus, even though he might not have exhibited tendencies of drunkenness, it can be assumed, and from the facts it is apparent, that he was offensive to the customer, that the customer would be suspicious of the employee's capabilities of carrying out his important work and alarmed that he might not be in a condition to perform it satisfactorily or safely.

Decision

The employee's misconduct in this case is serious. Therefore, the Review Committee is not in a position to mitigate the penalty levied by the Division. This case is closed.

FOR UNION:

W. H. Burr
E. R. Sheldon
L. N. Foss

By L. N. Foss

Date 12-1-72

FOR COMPANY:

J. A. Fairchild
H. J. Stefanetti
L. V. Brown

By L. V. Brown

Date 12-1-72