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REVIEW COMMITTEE

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INTERNATIONAL BROTHERHOOD OF
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R.W. STALCUP, SECRETARY

**CASE CLOSED
LOGGED AND FILED**

DEC 17 1984

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1298-84-30
P-RC 975

November 28, 1984

MR. R. S. BAIN, Chairman
General Construction
Joint Grievance Committee

MR. MIKE MC KINNEY, Chairman
General Construction
Joint Grievance Committee

Grievance Issue

Letter of reprimand and five-day disciplinary layoff for an avoidable vehicle accident.

Facts of the Case

The grievant is an Equipment Mechanic in General Construction Mechanical Services.

On June 2, 1983, he received a letter of reprimand for an avoidable auto accident. He received another letter of reprimand and a one-day disciplinary layoff on January 11, 1984 for a second avoidable auto accident. The subject letter of reprimand and five-day disciplinary layoff were issued on March 27, 1984 for a third avoidable auto accident.

Discussion

The Union stated that the jump from one disciplinary day off to five disciplinary days off was unjustified; that the intersection where the March 27 accident occurred was "bad;" that the grievant was not issued a traffic citation for the accident; that the grievant was treated harshly because of a policy communicated to all Mechanical Services employees by letter on March 5, 1984. This letter stated, in part, that:

"You are hereby placed on notice that avoidable accidents will no longer be tolerated. Beginning now and until considerable improvement in our record has been realized, your involvement in an avoidable automotive accident will be dealt with severely. If you won't drive safely to save your life, maybe you will to keep your job."

The police officer who investigated the accident told the Local Investigating Committee that the reason no one was cited for the accident was that no bodily injury was suffered by either party. The officer also stated that the grievant was the party at fault in the accident.

The Company stated that the decision to move to a five-day disciplinary layoff was based on the grievant's record of three accidents within a one-year period; that the March 5 letter did not have a direct influence on the decision; that disciplinary actions taken since March 5 had been no more severe than those taken for similar offenses in the past.


Company also noted that the number and severity of automotive accidents in the Mechanical Services Department had dropped since issuance of the March 5 letter.

Decision

After reviewing the record, the Pre-Review Committee is in agreement that the subject written reprimand and disciplinary layoff were not excessive under the circumstances, and were consistent with past practice in the Mechanical Services group.

Therefore, the case is closed without adjustment.


D. J. BERGMAN, Chairman
Review Committee


R. W. STALCUP, Secretary
Review Committee

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