

**AMALGAMATED TRANSIT UNION LOCAL 1395**

**1720 W. FAIRFIELD DRIVE, SUITE 307**

**PENSACOLA, FLORIDA 32501**

**(850) 554-6034 cell # / (850) 475-5766 fax #/ atu1395@aol.com**

**OFFICIAL GRIEVANCE FORM**

NAME OF GRIEVANT: Darryl McGruder

DATE FILED: November 21, 2011

CLASSIFICATION: Professional Bus Operator

UNION REPRESENTATIVE: Michael A. Lowery, President/Business Agent,

Amalgamated Transit Union Local 1395

WORK SITE: Escambia County Area Transit

 1515 W. Fairfield Drive, Pensacola, FL 32501

IMMEDIATE SUPERVISOR: Theo Letman, Assistant General Manager, ECAT

VIOLATION OF: Article 23, Section 3A, #5 (labor agreement)

 Page 1 & Page 4 – Department of Operations Policies & Procedures Manual.

 Progressive Discipline Code Code Class 3 Infraction

DATE CAUSE OF GRIEVANCE: November 4, 2011

NATURE OF VIOLATION: First and foremost – the Union objects to the Company using the Progressive Code Code Class 3 Infraction. This is a document that has not been ratified by the ATU Local 1395 membership – the Union clearly disputes the “warning notice” stating that the progressive disciplinary code effective 3/10/2011.

 Next as per Article 23, Section 3A, #5 and Page 1 & Page 4 – Department of Operations Policies & Procedures Manual. The Union agrees that these are pertaining to pre-trip of a bus by a bus operator.

 The Union objects to Operation Manager Ken Edgerton who removed the DVR tape from the box on that bus the previous day. He failed to replace the DVR in the box. So the Union clearly thinks that the Operation Manager has some responsibility of not replacing the DVR tape the day before. This seems to be a gotcha discipline or it appears to be a set up on Bus Operator Darryl McGruder.

WITNESSES: Darryl McGruder

The Union reserves the right to call witnesses.

REMEDY SOUGHT: Remove and destroy the ECAT Warning Notice dated 17 November 2011 on Bus Operator Darryl McGruder from his personnel file.

SIGNATURE OF GRIEVANT: Michael A. Lowery

Sent via e-mail to Theo Letman, Asst. General Manager, Escambia County Area Transit on 11/21/11. Union President / Business Agent Michael A. Lowery has been given authorization from Bus Operator Darryl McGruder and ATU Local 1395 to file the grievance on behalf Bus Operator Darryl McGruder. This grievance was sent via e-mail from atu1395@aol.com and hand delivered in person to ECAT.

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 Signature of Grievant or Union Representative

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Please email an acknowledgement of receipt of the grievance by emailing to atu1395@aol.com within the time lines outlined under the collective bargaining agreement. Thank you.

The Union reserves to amend/change/delete this grievance with notice given to the Company representatives.

Initial \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_