

AWARD OF THE ARBITRATOR

The material before the Arbitrators establishes that the service provided by Ms. Guay to passengers in club car service on Train 166, September 20, 1992 left much to be desired. Specifically, it provoked a letter of complaint from a passenger who relates that Ms. Guay did not respond to her request for information about the menu of the day, or her indicated preference to have fish or poultry for her meal. The complaint reveals that when the customer asked the grievor what the dinner choice would be, she responded that she had no idea and had no time to tell her. When she later approached the grievor to again express her preference for fish she was, in her words, "briskly dismissed".

The grievor's record reveals prior instances of poor service and insensitivity to guests, resulting in frequent guest complaints in respect of her attitude and service over the years. At the time of the incident in question her discipline record stood at fifty demerits. In all of the circumstances the Arbitrator is satisfied that five demerits was not inappropriate as a disciplinary response. Nor can I find any error on the part of the Corporation in conducting a formal investigation in respect of the grievor's conduct. In the circumstances, depending upon what emerged from the investigation, she was plainly at risk of suspension or discharge. Nor does the Arbitrator find that the grievor was unfairly treated in relation to her co-worker, whose eventual attempt to assist the passenger with her meal selection is acknowledged in her letter.

For all of the foregoing reasons the grievance must be dismissed.

13 May 1994

MICHEL G. PICHER
ARBITRATOR