

**BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA**  
**IN THE MATTER OF THE APPEAL OF**  
**ARMMAND R. BULLOCK**

**ORDER**

**August 19, 2020**

This matter came before the Board upon the dismissal of the Employee from his employment with the Alabama Alcoholic Beverage Control Board ("ABC"). The Employee was dismissed from employment on April 14, 2020, based upon charges contained in a letter to the Employee dated April 14, 2020. This matter was assigned to Administrative Law Judge Randy Sallé and a hearing was held on June 24, 2020. The Administrative Law Judge's Recommended Order is now before the Board for consideration.

ABC charges that the Employee violated ABC Personnel Work Rules: 4-10-.03(1) – (Professional behavior and conduct) and 4-10-.03(8) – (Accountability for money and property).

A review of the Employee's recent work history shows: two (2) Warnings in March 2019 and November 2019 for Tardiness and Failure to perform job properly; and two (2) Reprimands in June 2019 and March 2020 for Tardiness and Absenteeism.

The Employee was employed by ABC as an ABC Warehouse Worker. On February 26, 2020, ABC security and management found multiple empty boxes of liquor. Another ABC employee was ultimately dismissed for the theft.

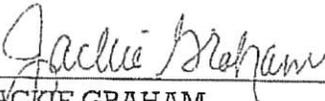
After reviewing the security footage, there was a 27 second clip that showed the dismissed employee hiding liquor in his sweatshirt and moving it down to his pants in front of the Employee. The ABC Warehouse Manager stated that the activity the Employee observed was suspicious and the Employee should have reported it. After reviewing two days of security footage, the 27 second clip was the only instance that the Employee would have seen the dismissed employee engage in theft. The Employee denied ever seeing the employee steal anything and his denial was unwavering. Additionally, it should be noted that the Employee notified ABC management one month prior to this incident of an opened box that lead to the dismissal of another ABC warehouse employee.

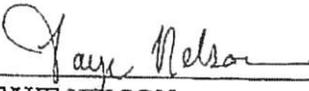
The Administrative Law Judge found the totality of the evidence does not warrant dismissal in this cause and recommended that the Employee's dismissal be denied. The Board hereby adopts by reference the findings of fact and conclusions of law as found by the Administrative Law Judge as a part of this Order as if fully set forth herein.

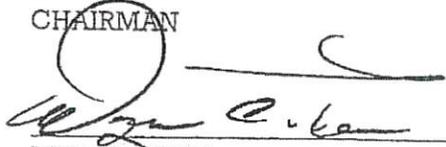
The Board has carefully considered the Administrative Law Judge's Recommended Order and is of the opinion that the decision of the appointing authority to dismiss the Employee is not supported by the evidence and that the termination is not warranted.

It is therefore the Order of this Board that the decision of the appointing authority to dismiss the Employee is hereby denied. The Employee should be

reinstated to his position as an ABC Warehouse Worker with appropriate back pay and benefits, less any interim earnings.

  
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JACKIE GRAHAM  
SECRETARY

  
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FAYE NELSON  
CHAIRMAN

  
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MYRON PENN  
MEMBER

  
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EVAN M. THORNTON  
MEMBER

  
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DAVID R. MELLON  
MEMBER

  
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RACHEL BUNNING  
MEMBER