

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
CASSIE TRIGGS

ORDER

August 19, 2020

This matter came before the Board based upon the dismissal of the Employee from her employment with the Alabama Alcoholic Beverage Control Board ("ABC"). The Employee was dismissed from her employment on May 6, 2020, based upon charges contained in a letter dated the same. This matter was assigned to Administrative Law Judge James Jerry Wood and a hearing was held on July 20, 2020. The Administrative Law Judge's Recommended Order is now before the Board for consideration.

ABC charges that the Employee violated State Personnel Board Rules: 670-X-19-.01(1)(a)(4) – (Failure to perform job properly); 670-X-19-.01(1)(a)(8) – (Violation of specific department rules); 670-X-19-.01(1)(b)(10) – (Serious violation of any other department rules); and 670-X-19-.01(1)(b)(13) – (Conduct unbecoming a state employee).

A review of the Employee's recent work history shows: one (1) Counseling Session in October 2018 for Tardiness; one (1) Warning in February 2018 for Tardiness and Failure to perform job; one (1) 3-day Suspension in August 2019 for Insubordination; and one (1) Dismissal in February 2018 for

Absenteeism, but was later re-instated after acquiring dependable transportation.

The Employee was employed by ABC as an ABC Sales Associate I. On April 25, 2020, the Employee's sister called the Employee's supervisor and stated she would not be at work that day because of a family emergency and that the Employee was unable to speak with her. Later that day the ABC Supervisor was sent a picture of the Employee's mugshot. The Employee had been arrested and charged on April 24, 2020, for two felonies. The Employee failed to report her arrest and additionally did not tell her supervisor that her arrest caused her to miss work.

The Administrative Law Judge found the totality of the evidence does warrant dismissal in this cause and recommended that the Employee's dismissal be upheld. 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 supported by the evidence and that the termination is warranted.

It is therefore the Order of this Board that the decision of the appointing authority to dismiss the Employee is hereby affirmed.

Jackie Graham

JACKIE GRAHAM
SECRETARY

Faye Nelson

FAYE NELSON
CHAIR

Myron Penn

MYRON PENN
MEMBER

Evan M. Thornton

EVAN M. THORNTON
MEMBER

David R. Mellon

DAVID R. MELLON
MEMBER

Rachel Bunning

RACHEL BUNNING
MEMBER