

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
JEFFREY TODD BLOUNT

ORDER

July 17, 2019

This matter came before the Board based upon the dismissal of the Employee from his employment with the Alabama State Port Authority ("ASPA"). The Employee was dismissed from his employment on February 29, 2019, based upon charges contained in a letter dated February 18, 2019. This matter was assigned to Administrative Law Judge James Jerry Wood, and a hearing was held on May 2, 2019. The Administrative Law Judge's Recommended Order is now before the Board for consideration.

ASPA charges that the Employee's conduct violated State Personnel Board Rules: 670-X-19-.01(1)(a)(14) – (Violation of specific department rules); 670-X-19-.01(1)(b)(2) – (Insubordination); and 670-X-19-.01(1)(b)(5) – (Use of abusive or threatening language).

A review of the Employee's recent work history shows no prior disciplinary actions.

The Employee was employed by ASPA as a Docks Operations Supervisor. The Employee's appraisals during his employment show him to be competent and able in his role as Docks Operations Supervisor. However, in the period immediately prior to his termination from employment, the

Employee became increasingly critical of his supervision at the ASPA McDuffie Coal Terminal. The Employee became disenchanted that he did not receive an expected promotion to Assistant Superintendent, when he “considered himself groomed for the job and was next in line” and admitted he had “hard feelings” after not being promoted. The Employee insists this did not affect his job performance but admits that his friendships with co-workers who were promoted over him were affected, as were his subsequent interactions with them.

On February 13, 2019, the Employee was verbally abusive and insubordinate to his supervisor when the supervisor attempted to discuss the Employee's delayed release of an empty train. The Employee was insubordinate during the conversation and called his supervisor offensive names. Also, on February 13, 2019, during an Operations and Maintenance meeting, after his supervisor went over a report containing instructions for the day, the Employee stood up, wadded the report into a ball, and threw it in the trash as he walked out; he did this in front of the entire Operations and Maintenance management team. On February 14, 2019, the Employee repeated his actions of the previous day. Prior to these incidents, the Employee had a history of insubordination and using offensive, vile, and abusive language toward and concerning his supervisors. The Employee suggests the culture at ASPA condoned cursing and profanity. However, the evidence is clear that no

one claims it was common for a subordinate to curse and engage in name calling with a supervisor as a matter of culture. Unfortunately, the Employee's resentment over not being promoted colored his thinking and judgment to the extent that he engaged in insubordinate and disruptive conduct.

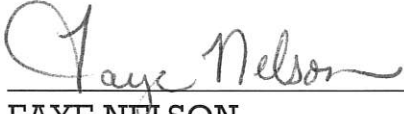
The Administrative Law Judge found the totality of the evidence does warrant dismissal in this cause and recommended that the Employee's dismissal be upheld. The Board hereby adopts by reference the findings of fact and conclusions of law as found by the Administrative Law Judge as a part of this Order 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.

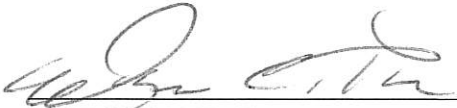
It is therefore the Order of this Board that the decision of the appointing authority to dismiss the Employee is hereby affirmed.



JACKIE GRAHAM
SECRETARY



FAYE NELSON
CHAIR



MYRON PENN
MEMBER



EVAN M. THORNTON
MEMBER



DAVID R. MELLON
MEMBER



RACHEL ADAMS
MEMBER