

## Case Incident 3.2

Due Date: By midnight EST/EDT on the last day of Module 2  
Save the file as your lastname\_ci3-2 (e.g., lindbergh\_ci3-2.doc or .docx).

### Tardy Tom

On September 30, 2007, a large national automobile-leasing firm in Columbus, Ohio, hired Tom Holland as a mechanic. Tom, the only mechanic employed by the firm in Columbus, was to do routine preventive maintenance on the cars. When he first began his job, he was scheduled to punch in on the time clock at 7 AM. On October 30, 2007, Tom's supervisor, Russ Brown, called him to his office and said, "Tom I've noticed during October that you've been late for work seven times. What can I do to help you get here on time?"

- Tom replied, "It would be awfully nice if I could start work at 8 AM instead of 7 AM."
- Russ then stated, "Tom I'm very pleased with your overall work performance, so it's OK with me if your workday begins at 8 AM."

During the month of November 2007, Tom was late eight times. Another conversation occurred similar to the one at the end of October. As a result of it, Tom's starting time was changed to 9 AM.

On January 11, 2008, Russ Brown posted the following notice on the bulletin board: Any employee late for work more than two times in any one particular pay period is subject to termination.

On January 20, 2008, Russ called Tom into his office and gave him a letter that read, "During this pay period, you have been late for work more than two times. If this behavior continues, you are subject to termination." Tom signed the letter to acknowledge that he had received it.

During February 2008, Tom was late eight times and between March 1 and March 11, five times. On March 11, 2008, Russ notified Tom that he had been fired for his tardiness.

On March 12, 2008, Tom came in with his union representative and demanded that he get his job back. Tom alleged that there was another employee in the company who had been late as many times as he had, or more. Tom further charged that Russ was punching the time clock for this employee because Russ was having an affair with her. The union representative stated that three other people in the company had agreed to testify, under oath, to these facts. The union representative then said, "Russ, rules are for everyone. You can't let one person break a rule and penalize someone else for breaking the same rule. Therefore, Tom should have his job back."

### Questions

1. Was the manager communicating a message to Tom? What was the message the manager communicated to Tom?
2. Should Tom get his job back?
3. What would you do if you were an arbitrator in this dispute?