

# ATTENDANCE ARBITRATION

**The Lewis Gill Arbitration from August 1985 deals with the termination of a secretary due to attendance.**

In Mr. Gill's decision, he stated, "I am satisfied that the case falls within the familiar principle that management is entitled to require reasonably steady attendance as a condition of employment, regardless of the reasons for the absences, since otherwise the employee is of no practical value to the enterprise. That principle has been applied in countless arbitration decisions, including several of my own, and I think the only question requiring serious discussion here is whether there are special mitigating circumstances which make the imposition of this disciplinary suspension inappropriate."

"One such circumstance is asserted by the Union to be found in the undisputed fact that the employee's work performance over some 25 years has been exemplary, and that their record with respect to lateness has been virtually spotless, showing that he/she is a highly conscientious employee. That is indeed a factor to be given weight, but it does not render an employee immune from the principle that reasonably steady attendance is still a necessary element of being a useful employee."