

Lucy



Ordine del Giorno del 21.12.2007

PROPOSTA DI DELIBERAZIONE PER IL CONSIGLIO DI AMMINISTRAZIONE N° 6

Deliberazione n° 88 del 21.12.2007

OGGETTO DELLA PROPOSTA

AGENTE DELLE DONNE VINCENZO: RICORSO DEL 26/10/2007, PROT. 19643, AVVERSO PROVVEDIMENTO DISCIPLINARE.

IL CONSIGLIO DI AMMINISTRAZIONE

- ☐ Vista la contestazione elevata a carico dell'agente **Delle Donne Vincenzo** in data 26/09/2007, prot. 17396/UE e gli atti che l'hanno generata;
- ☐ Rilevato che l'agente in questione non ha prodotto giustificazione alcuna alle contestazioni mosse;
- ☐ Visto il provvedimento disciplinare di **Sospensione dal servizio per n° 1 giorno**, comminato nei confronti dell'agente in oggetto ai sensi dell'art. 42, punti 1), e 8) del R.D. n° 148/1931 – all. A), avente protocollo aziendale n° 19371 del 23/10/2007;
- ☐ Visto il ricorso presentato al Consiglio di Amministrazione ai sensi dell'art. 58 del R.D. n° 148/1931 – all. A) dall'agente in parola ed assunto al protocollo aziendale n° 19643 del 26/10/2007;
- ☐ Visti i precedenti fatti registrare dall'agente medesimo in materia disciplinare;
- ☐ Visto il R.D. n° 148/1931 – all. A) e successive modificazioni ed integrazioni;
- ☐ Visti lo Statuto Sociale ed il Codice Civile;

a voti unanimi, resi nelle forme di legge

DELIBERA

- 1) Respingere
- 2) Di dare mandato ai competenti uffici aziendali per gli adempimenti consequenziali.

Years 5 & 6

20

N° 88 del Registro

DELIBERAZIONE DEL CONSIGLIO DI AMMINISTRAZIONE

n° 88 del 21.12.2007

O G G E T T O

AGENTE DELLE DONNE VINCENZO: RICORSO DEL 26/10/2007, PROT. 19643, AVVERSO PROVVEDIMENTO DISCIPLINARE.

L'anno duemilasette, il giorno 21 (ventuno) del mese di Dicembre, alle ore 09.55, in Taranto e nella sede della Società, si è riunito in seduta ordinaria il Consiglio di Amministrazione nelle persone dei Signori:

- | | | | |
|------------------|-----------|-----------------|------|
| 1) Ing. Giuseppe | CASATELLO | Presidente | |
| 2) Dott. Vito | SANTORO | Vice Presidente | a.g. |
| 3) Avv. Giulio | PICARO | Componente | |

Svolge le funzioni di Segretario del Consiglio Il Dott. Cosimo Rochira.

Il Presidente, constatato il numero legale degli intervenuti, dichiara valida e aperta la seduta.

IL CONSIGLIO DI AMMINISTRAZIONE

- ❑ Vista la contestazione elevata a carico dell'agente **Delle Donne Vincenzo** in data 26/09/2007, prot. 17396/UE e gli atti che l'hanno generata:
- ❑ Rilevato che l'agente in questione non ha prodotto giustificazione alcuna alle contestazioni mosse;
- ❑ Visto il provvedimento disciplinare di **Sospensione dal servizio per n° 1 giorno**, comminato nei confronti dell'agente in oggetto ai sensi dell'art. 42, punti 1), e 8) del R.D. n° 148/1931 – all. A), avente protocollo aziendale n° 19371 del 23/10/2007;
- ❑ Visto il ricorso presentato al Consiglio di Amministrazione ai sensi dell'art. 58 del R.D. n° 148/1931 – all. A) dall'agente in parola ed assunto al protocollo aziendale n° 19643 del 26/10/2007;
- ❑ Visti i precedenti fatti registrare dall'agente medesimo in materia disciplinare;
- ❑ Visto il R.D. n° 148/1931 – all. A) e successive modificazioni ed integrazioni;
- ❑ Visti lo Statuto Sociale ed il Codice Civile;

a voti unanimi, resi nelle forme di legge

DELIBERA

- 1) Di respingere il ricorso prot. n° 19643 del 26/10/2007, presentato dall'agente **Delle Donne Vincenzo** avverso il provvedimento disciplinare prot. n° n° 19371 del 23/10/2007, e, per l'effetto, di confermare la **Sospensione dal servizio per n° 1 giorno** comminata all'agente medesimo con il predetto provvedimento.
- 2) Di dare mandato ai competenti uffici aziendali per gli adempimenti consequenziali.

MR

firmato: **IL SEGRETARIO**
Dott. Cosimo Rochira

firmato: **IL PRESIDENTE**
Ing. Giuseppe Casatello



AREA ESERCIZIO

PROCEDIMENTO DISCIPLINARE

AGENTE: DELLE DONNE Vincenzo Via Tauterwaldi M500, 1° conell B SIN S1875E

RAPPORTO DI SERVIZIO / SEGNALEZIONE DEL: 10/8/2007, PROT. N° 14685

DESCRIZIONE: ASSENTE ARBITRARIO NEI GIORNI 27 e 28 Giugno 2007

CONTESTAZIONE DISCIPLINARE PROT. N° 17396 DEL 26/9/2007
RICEVUTA IN DATA 29/9/2007
NON HA RISPOSTO

RISPOSTA ASSUNTA AL PROT. N° DEL

PROVVEDIMENTO DISCIPLINARE PROT. N° 19371 DEL 23/X/2007

NATURA DEL PROVVEDIMENTO: SOSPENSIONE del SERVIZIO 1 giorno

RICORSO AL CONSIGLIO DI AMMINISTRAZIONE PROT. N° 19643 DEL 26/10/2007

DECISIONI DEL C.d.A. - DELIBERAZIONE N° DEL

NATURA DELLA DECISIONE:

PERSONALE ASSENTE I NEL MESE DI GIUGNO 2007

	Matricola	Cognome	Nome	GG. Assenza
1	119618	Chiti	Armido	4
2	125138	D'Alo'	Angelo	15,25.
3	129693	Delle Donne	Vincenzo	27,28.
4	130292	De Pace	Francesco	3,5,9,10,16,18,23,27.
5	160410	Mazza	Ercole	5,14,15,27.
6	196626	Venneri	Egidio	30



Prot. az. n°/UP

TARANTO, lì

10/08/07

e p.c.

Al Direttore Generale
al Presidente
Al Direttore Amm.vo
Al Direttore Tecnico
SEDE

OGGETTO: Trasmissione elenco personale assente dal servizio nel mese di giugno 2007
(cedolini paga di luglio 2007)

Come previsto nella nota del 23/04/2004, prot. az. n° 7475, Le invio in allegato l'elenco del personale che, nel corso del mese di giugno 2007, è risultato assente dal servizio.

Distinti saluti

AMAT s.p.a. - Protocollo in Arrivo
Prot. N° 14685
10 AGO. 2007

Del	PRESIDENTE	☐
P	DIRETTORE GENERALE	☐
DG	DIRETTORE AMMINISTRATIVO	☐
DA	DIRETTORE TECNICO	☐
DT	ESERCIZIO MOVIMENTO	☐
UE	AFFARI GEN./P.R./SINISTRI	☐
UAG	ACQUISTI/CONTRATTI	☐
UA	CONTABILITÀ/BILANCIO	☐
UC	INFORMATICA	☐
UI	PERSONALE/RETRIBUZIONI	☒
UP	TECNICO	☐
UT	PRODOTTI TRAFFICO	☐
ut.PT	RAGIONERIA/ECONOMATO	☐
ut.RG	STAFF QUALITÀ	☐
STQ		☐

IL RESPONSABILE AREA PERSONALE
(Dott.ssa Maria Fabiola Menenti)

[Handwritten signature]

→ *aggi. dire. personale*
10/8

Taranto lì 26 SET. 2007

17396/UE

All'Agente
DELLE DONNE Vincenzo
Via Monteverdi, 11500, 2° cancello sin
74010 - STATTE (TA)

to: **CONTESTAZIONE AI SENSI DEL R.D. n° 148/1931 - all. A).**

La Direzione aziendale:

Avendo rilevato dalla rendicontazione della presenza personale relativa al periodo 01/06/2007 - 30/06/2007 che la S.V. è risultata assente in modo arbitrario dal servizio nei giorni **27 e 28 Giugno 2007**;

Considerato che tale assenza arbitraria costituisce una violazione riconducibile a quanto previsto ai punti 1) e 8) dell'art. 42 del R.D. 08/01/1931, n° 148 - all. A);

2) Constatato che tale comportamento ha prodotto disagi all'Area Esercizio nell'attività di pianificazione e gestione del servizio giornaliero, arrecando danni all'esercizio;

CONTESTA

alla S.V. la condotta tenuta in data **27 e 28 Giugno 2007**, che ha comportato le mancanze previste ai punti 1) e 8) dell'art. 42 del R.D. n° 148/1931, all. A).

Avverso la presente contestazione la S.V. potrà far pervenire proprie giustificazioni, esclusivamente per iscritto, entro il termine di 5 (cinque) giorni dal ricevimento della presente.

IL DIRETTORE GENERALE
Ing. Giovanni Matichecchia

MR


ricevimento 7/7R
☒ Raccomandata ☐ Pacco
☐ Assicurata Euro _____
Data di spedizione _____

Numero 12626941223 8

Destinatario DALLE DONNE
Via MONTEVERDI, 11500 - 2° CANCELLO SINISTRA
C.A.P. 74010 Località STATTE (TA)

Ed. 02/04 - L3
Firma per esteso del ricevente
(Nome e Cognome) Paccione Anna 29/9/07
Data

Consegna effettuata ai sensi dell'art. 33 D.M. 09.04.01:
• Invi multipli a un unico destinatario
• Sottoscrizione rifiutata

Firma dell'incaricato alla distribuzione



Bollo dell'ufficio di distribuzione

Prot. n° 19371 /UE

Taranto lì 23 OTT. 2007

All'Agente
DELLE DONNE Vincenzo
Via Monteverdi, 11500 – 2° cancello
74010 – STATTE (TA)

e p.c. Al Responsabile Area Personale

e p.c. Al Responsabile Area Esercizio

Oggetto: **PROVVEDIMENTO DISCIPLINARE COMMINATO IN APPLICAZIONE DEL R.D. 08/01/1931, n° 148 – all. A).**

La Direzione aziendale:

- a) vista la contestazione prot. n° 17396/UE del 26/09/2007, elevata nei confronti della S.V. a seguito delle mancanze commesse nei giorni **27 e 28 Giugno 2007**, in cui è risultato assente in modo arbitrario dal servizio;
- b) considerato che le mancanze contestate sono quelle previste ai seguenti punti dell'art. 42 del R.D. n° 148/1931 – all. A):
 - 1: inosservanza dell'orario di servizio e mancanza di diligenza che ha arrecato danno al servizio;
 - 8: assenze arbitrarie di durata maggiore ad un giorno e non superiore a cinque;
- c) rilevato che la predetta contestazione è stata accusata in ricezione in data 29/09/2007 e che non sono seguite nei termini prescritti (5 giorni) giustificazioni da parte della S.V.
- e) considerata la gravità delle mancanze commesse nei giorni **27 e 28 Giugno 2007**;
- f) visto il R.D. 08/01/1931, n° 148 – all. A), art. 42 punti 1); 8);

COMMINA

alla S.V. il provvedimento disciplinare di **Sospensione dal servizio per la durata di giorni 1 (uno)**, da scontarsi il giorno **22 Novembre 2007**.

Nel merito si precisa quanto segue:

- 1) in applicazione dell'art. 58 del R.D. n° 148/1931 – all. A), avverso il presente provvedimento è ammesso il ricorso al Consiglio di Amministrazione entro i 15 giorni successivi alla data della notificazione;

- 2) in applicazione del predetto art. 58 del R.D. n° 148/1931 – all. A), il ricorso al Consiglio di Amministrazione non sospende l'applicazione del presente provvedimento;
- 3) per effetto di quanto indicato al precedente punto 2), l'Area Personale e l'Area Esercizio, al ricevimento del presente provvedimento, dovranno immediatamente assumere le rispettive iniziative per la sua materiale applicazione;
- 4) la giornata indicata nel presente provvedimento sarà considerata a tutti gli effetti giornata di "sospensione dal servizio" anche se, per la stessa, dovessero sovrapporsi eventi di malattia documentati da certificazione medica che, pertanto, limitatamente a tale giornata non sarà considerata utile.



IL DIRETTORE GENERALE
Ing. Giovanni Matichecchia



Al Consiglio di Amministrazione
dell'A.M.A.T. s.p.a.
Sede

Oggetto: ricorso ex art.58 del R.D. 148/1931

Io sottoscritto Delle Donne Vincenzo dipendente di codesta Azienda con la qualifica di Operatore d'esercizio in riferimento alla contestazione n°17396/UE del 26/09/07 chiarisco quanto segue:

- il giorno 27/06/07 ho telefonato nella mattinata, intorno alle 10,00, al superiore di servizio per farmi sostituire per motivi di lutto in famiglia (il mio turno era 18,30-00,20) così come si può evincere dalla documentazione in possesso dell'Azienda;
- il giorno successivo e cioè il 28/06/07 la mattina, intorno alle ore 12,00, ho telefonato al superiore di servizio per farmi sostituire per le stesse motivazioni (funerali della parente) dal turno, nuovamente serale (18,15-00,15).

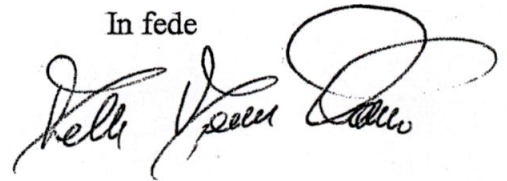
Detto ciò, credo che non si ravvisi nessuna assenza arbitraria e di non aver, tantomeno, arrecato nessun danno al servizio dato che le sostituzioni richieste telefonicamente siano avvenute con cotanto anticipo che i superiori in servizio potevano riposizionare il tutto (sostituzioni, riserve tecniche ecc.ecc.)

L'unica mia, se si vuole, pecca è stata il non avere, nei giorni successivi, inoltrato domanda di ferie, e per questo mi sono state detratte 2 giornate paga.

In attesa di un Vs. positivo riscontro, porgo distinti saluti.

Taranto 26/10/2007

In fede

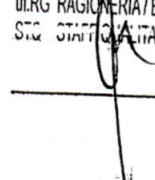


19643

Prot. N°

Del 26 OTT. 2007

P	PRESIDENTE	☐
DG	DIRETTORE GENERALE	☐
DA	DIRETTORE AMMINISTRATIVO	☐
DT	DIRETTORE TECNICO	☐
UE	ESERCIZIO MOVIMENTO	☒
UAG	AFFARI GEN./P.R./SINISTRI	☐
UA	ACQUISTI / CONTRATTI	☐
UC	CONTABILITA' / BILANCIO	☐
UI	INFORMATICA	☐
UP	PERSONALE / RETRIBUZIONI	☐
UT	TECNICO	☐
UL.T	PRODOTTI TRAFFICO	☐
UL.RG	RAGIONERIA / ECONOMATO	☐
SLG	STATISTICA	☐



26/10

NOTE INFORMATIVE E SITUAZIONE PERSONALE

INDENNITÀ ANZIANITÀ

DELLI DONNS
VINCES N20

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Contingenza maturata al 31-1-1977

NOTE DI MERITO E PREMI

ANNO

PROVVEDIMENTI DISCIPLINARI

1980 N°1 multa L. 1.000

1983 n. 2 multa

L. 3.000

~~1984~~ ~~1985~~ ~~1986~~ ~~1987~~ ~~1988~~ ~~1989~~ ~~1990~~ ~~1991~~ ~~1992~~ ~~1993~~ ~~1994~~ ~~1995~~ ~~1996~~ ~~1997~~ ~~1998~~ ~~1999~~ ~~2000~~ ~~2001~~ ~~2002~~ ~~2003~~ ~~2004~~ ~~2005~~ ~~2006~~ ~~2007~~ ~~2008~~ ~~2009~~ ~~2010~~ ~~2011~~ ~~2012~~ ~~2013~~ ~~2014~~ ~~2015~~ ~~2016~~ ~~2017~~ ~~2018~~ ~~2019~~ ~~2020~~ ~~2021~~ ~~2022~~ ~~2023~~ ~~2024~~ ~~2025~~ ~~2026~~ ~~2027~~ ~~2028~~ ~~2029~~ ~~2030~~ ~~2031~~ ~~2032~~ ~~2033~~ ~~2034~~ ~~2035~~ ~~2036~~ ~~2037~~ ~~2038~~ ~~2039~~ ~~2040~~ ~~2041~~ ~~2042~~ ~~2043~~ ~~2044~~ ~~2045~~ ~~2046~~ ~~2047~~ ~~2048~~ ~~2049~~ ~~2050~~ ~~2051~~ ~~2052~~ ~~2053~~ ~~2054~~ ~~2055~~ ~~2056~~ ~~2057~~ ~~2058~~ ~~2059~~ ~~2060~~ ~~2061~~ ~~2062~~ ~~2063~~ ~~2064~~ ~~2065~~ ~~2066~~ ~~2067~~ ~~2068~~ ~~2069~~ ~~2070~~ ~~2071~~ ~~2072~~ ~~2073~~ ~~2074~~ ~~2075~~ ~~2076~~ ~~2077~~ ~~2078~~ ~~2079~~ ~~2080~~ ~~2081~~ ~~2082~~ ~~2083~~ ~~2084~~ ~~2085~~ ~~2086~~ ~~2087~~ ~~2088~~ ~~2089~~ ~~2090~~ ~~2091~~ ~~2092~~ ~~2093~~ ~~2094~~ 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