

REVIEW COMMITTEE

PG and E

IBEW 

PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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L.N. FOSS, SECRETARY

RECEIVED JAN 31 1979

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Jose Division Grievance No. 8-287-78-86
Fact Finding Committee No. 1035-78-328
P-RC 426
Discharge, Meter Reader

January 26, 1979

MR. L. A. WEST, Company Member
San Jose Division
Local Investigating Committee

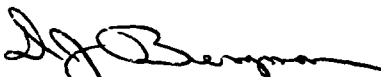
MR. M. J. DAVIS, Union Member
San Jose Division
Local Investigating Committee


The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned, pursuant to Section I B(2) of the Review Committee procedure, to the Local Investigating Committee for settlement in accordance with the following:

This case involves the discharge of a Meter Reader, with 12 days less than one year's service, for curbing a meter. The grievant was employed as a known diabetic, and during his short service, had encountered substantial difficulty in maintaining "reading errors" standards. At one point, midway in his brief career, he was warned of the consequences of "curbing" due to a suspicious reading which he had entered in his meter book. The grievant maintained that some of his difficulty in maintaining a satisfactory performance level as a Meter Reader was due to his diabetes, although at the time of his employment, his personal physician had given him an unqualified medical clearance. In any event, shortly before his discharge, the Company and the Union were considering, and actively pursuing, a transfer under the provisions of Section 18.15 of the Clerical Agreement to a less physically demanding position because of some of the difficulties he encountered.

While recognizing the possibility of a physical problem contributing to the grievant's performance, there is nothing in this case which suggests that the incident of curbing was related to any physical impairment. In fact, the grievant had read the meter at a previous residence and subsequent to the curbing incident had, in fact, climbed a fence to read a meter at another residence. In reviewing all of the factors in this case, and in particular Exhibit 11 where the grievant acknowledged by his initials the warning that "curbing" of a meter constitutes grounds for immediate dismissal from employment, the Committee concludes that the discharge was for just and sufficient cause. In discussing whether or not there was reason for leniency, the Committee looked to evidence which surfaced after the grievant's discharge which showed other examples of curbing by the grievant which were not apparent at the time he was terminated. Based on this further evidence, the Committee can find no reason to consider modification of the penalty imposed.

On this basis, this case is considered closed without adjustment.


D. J. BERGMAN, Chairman
Review Committee


L. N. FOSS, Secretary
Review Committee

PEP:rto

cc: VHLind, IWBonbright, LVBrown, Personnel Managers