

REVIEW COMMITTEE

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IBEW

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INTERNATIONAL BROTHERHOOD OF
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L.N. FOSS, SECRETARY

RECEIVED MAR 28 1979

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Stockton Division Grievance No. 16-58-78-8
Fact Finding Committee No. 946-78-239
P-RC 430
Disciplinary Action, Serviceman

**CASE CLOSED
LOGGED AND FILED**

March 2, 1979

MR. D. G. COLLINS, Company Member
Stockton Division
Local Investigating Committee

MR. P. R. DUTTON, Union Member
Stockton 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(1) of the Review Committee procedure, to the Local Investigating Committee for settlement in accordance with the following:

This case involves the failure of the grievant, a Gas Serviceman, to report for scheduled work on a Saturday. The Gas Service Foreman stated that had this been a regular Monday-Friday workweek, the supervisor would have called the absent Serviceman at the time the absence became known. He further acknowledged that there was an arrangement on Saturdays to provide communication between the Serviceman who reported for Saturday work and the Service Operator when it was known that a Serviceman who was scheduled to work that day had not shown up. In that event, the Service Operator would attempt to contact the absent employee. On the day in question, the Gas Service Foreman was in the office and other Servicemen informed him that the grievant had not shown up for work yet. The Foreman stated that he would make an attempt to call the grievant himself, but with the press of other business during the morning, the Service Foreman did not do so.

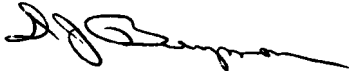
The Committee notes that the grievant's reason for not reporting that day was that he had misread the schedule. The grievant further acknowledges that he had missed one Saturday before and had been docked only for the time on Saturday. In this case, the grievant was not only docked but was given an additional day-off without pay as disciplinary action. The Committee notes that the grievant had been previously disciplined by receiving a day-off without pay on October 18, 1977, for intentionally misinforming a supervisor about his work location and falsifying times on a work tag. That action, however, is unrelated to the present case.

In the present instance, the Committee observes that the grievant was not given the benefit of a long-standing, historical practice, i.e., the opportunity to be called at home, as have others in the past. Therefore,

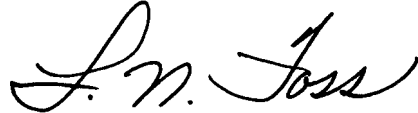
March 2, 1979

the disciplinary action imposed seems excessive. The Committee recognizes that the grievant had already been penalized by not being afforded the opportunity to report for work on that Saturday, thereby forfeiting one day's pay. This loss of pay, coupled with a disciplinary letter, appears to be just discipline. The grievant will be reimbursed for the additional day's pay which he lost and his disciplinary letter revised accordingly.

On this basis, this case is considered closed and should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



L. N. FOSS, Secretary
Review Committee

PEPettigrew(1123):rto

cc: CRMartin
IWBonbright
LVBrown
Personnel Managers
RHCunningham