

REVIEW COMMITTEE

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PG and E

IBEW

PACIFIC GAS AND ELECTRIC COMPANY
245 MARKET STREET, ROOM 444
SAN FRANCISCO, CALIFORNIA 94106
(415) 781-4211, EXTENSION 1125

CASE CLOSED OCT 30 1981
LOGGED AND FILED

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED OCT 30 1981

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. 3-948-81-52
P-RC 671

October 27, 1981

MR. R. S. BAIN, Chairman
General Construction
Joint Grievance 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 Step Five A(11) of the grievance procedure, to the Joint Grievance Committee for settlement in accordance with the following:

Facts of the Case

This case concerns the discharge of a General Construction Equipment Mechanic on April 14, 1981 for unauthorized possession of a fellow employee's tools. Grievant's employment date was November 20, 1979.

Discussion

Sometime during November 1980, the grievant found four tools which he placed in his tool box even though he was aware of the shop policy which required that "stray" tools be placed in a box in the Foreman's office. The tools had been engraved with the owner's initials. On December 24, 1980, the grievant was asked by the other employee if he'd found any tools. The grievant responded negatively.

On March 23, 1981, the tool owner spotted some tools with his initials in the grievant's tools box and notified the Working Foreman. The Foreman asked the grievant three times if he had the tools, and three times the grievant denied having the tools in his possession.

Shortly thereafter, the Security Department was notified and an immediate investigation was made culminating in a statement signed by the grievant in which he admitted finding some tools and placing them in his tool box contrary to the shop policy. The grievant told the Local Investigating Committee that he knew he should have returned the tools and that he had no intention of keeping them.

In discussing this case, the Committee noted that the grievant was aware of the shop policy regarding tools and had ample time to have returned them to the owner or placed them in the lost and found box. When confronted on March 23, 1981, the

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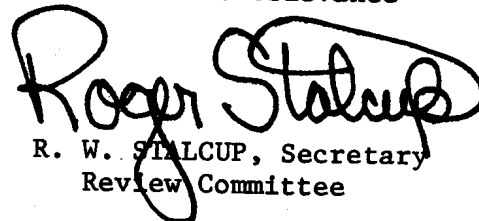
grievant had been in possession of the missing tools for more than four months. Further, the grievant was a short-term employee with approximately 16 months of service at the time of his discharge.

Decision

The Pre-Review Committee is in agreement that based on the above and in view of the statement signed by the grievant, that the discharge was for just and sufficient cause. This case is considered closed on the basis of the foregoing and the closure should be so noted in the minutes of your next Joint Grievance Committee meeting.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

/rlm

cc: GSBates
MEBadella
LCBeanland
MEBennett
IWBonbright
LVBrown
FCBuchholz
RHCunningham
NRFarley
DKLee
DOKabayashi
JBStoutamore
WKSnyder
LSilton
CPTaylor
CEWelte
Division Personnel Managers