

REVIEW COMMITTEE**PG and E****IBEW** 

PACIFIC GAS AND ELECTRIC COMPANY
 245 MARKET STREET, ROOM 444
 SAN FRANCISCO, CALIFORNIA 94108
 (415) 781-4211, EXTENSION 1125

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

CASE CLOSED FEB 22 1982
LOGGED AND FILED

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

East Bay Division Grievance No. 1-1154-80-248
 P-RC 686

February 18, 1982

MR. P. N. LONG, Company Member
 East Bay Division
 Local Investigating Committee

MR. V. STAMPS, Union Member
 East Bay 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 Step Five A(i) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

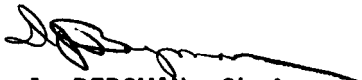
This case involves a disciplinary letter received by a Lineman for allegedly failing to follow the orders of a supervisor regarding the installation of a secondary riser.

The Pre-Review Committee reviewed all of the evidence contained in the Joint Statement of Facts and an Addendum dated April 29, 1981 in an effort to reach a conclusion. The Committee took careful note of the grievant's testimony, that of a fellow worker and the Foreman involved coupled with Committee Exhibit No. 2 of the Joint Statement of Facts which is a memo prepared by the Foreman of the incident. The testimony conflicts in perhaps the critical area in this case, and that is the issue of insubordination. The Foreman's testimony is fairly clear in that he had given grievant an order to perform the work. The grievant and his co-workers' testimony indicate that the Foreman attached no special urgency to the work assignment. This Committee notes that it is the grievant's responsibility to exercise diligence and complete work assignments in an expeditious manner. However, it appears unclear from the facts in this case that the grievant was in fact insubordinate. It also appears that the Division reached the same conclusion, otherwise, in this Committee's experience, the disciplinary action would have been more severe and involved time off without pay. Given the absence of any documented prior disciplinary history with this grievant, the Committee agrees to modify the disciplinary action taken as follows. The disciplinary letter will be rewritten in the form of a counselling letter. Further, the references in Paragraph 2 and 3 will be deleted since they deal with a question of time off which the grievant took for personal business and were not considered in the wording of the letter as a basis for the disciplinary action taken. The incidents noted in Paragraphs 2 and 3, however, should be confirmed in a Memo to File since they deal with a relatively serious matter of unauthorized time off. The last paragraph of such letter will be changed to reflect that this is a counselling memo with the admonition to the grievant that it is his responsibility to complete his work assignments in a

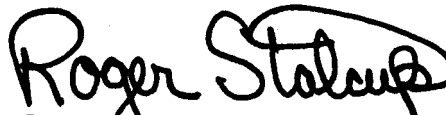
February 18, 1982

responsible manner. The threat of further disciplinary action up to and including termination of his employment will be removed from such memo.

This case is considered closed on the basis of the foregoing and the adjustments provided herein, and the closure should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

PEPettigrew(1123):ml/RWS:rlm

cc: FCMarks
LCBeanland
IWBonbright
FCBuchholz
RHCunningham
NRFarley
TDMacWilliams
DAOkabayashi
TCPhebus
WKSnyder
JBStoutamore
CPTaylor
CEWelte
Division Personnel Managers