

REVIEW COMMITTEE**PG and E**

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

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

DEC 14 1984

CASE CLOSED
 LOGGED AND FILED

DEC 15

RECEIVED DEC 11 1984

General Construction Grievance No. 3-1279-84-11
 P-RC 948

IBEW 

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

December 10, 1984

MR. R. S. BAIN, Chairman
 General Construction
 Joint Grievance Committee

MR. MIKE MC KINNEY, 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(i) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Facts of the Case

This case concerns a five-day disciplinary layoff given to a Field Garage Mechanic C for an alleged incident of providing and smoking marijuana and offering brandy. This disciplinary action was taken following an investigation which was conducted by the Company's Security Department, between August 16, 1983 and December 9, 1983. The Security Department arranged for the employment of an undercover operative who was placed on the job working as a Hydro/Substation Mechanic. During the course of the investigation, the undercover operative monitored the activities of a number of employees and provided to the Security Department both oral and written reports of his observations. The Pre-Review Committee has reviewed a considerable volume of documents and discussed, at length, this case and many others which resulted from the aforementioned investigation.

Discussion

A Station Helper with three and one-half months service informed the Security Department during his interview on December 12 that on December 3 he accompanied another employee on a trip to pick up protection gear. The Helper stated that near Road 6½ the grievant got into their truck and passed around a marijuana pipe and offered them some brandy. On this same date, the Helper also admits he inhaled cocaine.

The grievant denied the incident, denied knowing the Helper and provided a notarized statement from the other employee denying the allegation.

The operative reported no incidents involving the grievant.

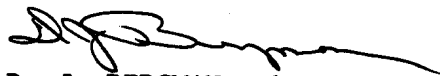
December 10, 1984

Discussion

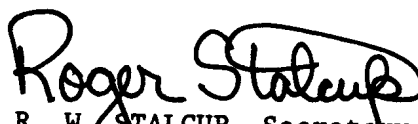
During its review of these various cases, the Pre-Review Committee determined that the Helper who made the allegations generally lacked credibility and, in this case, his testimony was the sole basis for discipline.

Based on the facts and circumstances present in this case, the Pre-Review Committee agrees to restore to the grievant the five-day disciplinary layoff in accordance with Subsection 102.4(a), rescind the disciplinary letter and remove from the personnel file any and all documents which make reference to this incident.

This case is closed based on the foregoing and the adjustment made herein. Such closure should be so noted in the minutes of the Joint Grievance Committee.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

MAShort(1123):lsc