

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

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INTERNATIONAL BROTHERHOOD OF
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

CASE CLOSED
LOGGED AND FILED

RECEIVED DEC 19 1985

East Bay Division Grievance No. 1-2190-84-145
P-RC 1021

December 18, 1985

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

ERIN M. ANDRE, Company Member
East Bay Division
Local Investigating Committee

BOB CHOATE, 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(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case involves a letter of reprimand for failure to report for work or call in and the denial of pay for that day.

Facts of the Case

The grievant is a Reserve Gas Serviceman who was given a Serviceman's schedule on Monday, October 1, 1984, for the following week. Beginning on Sunday, October 7, 1984, he would work 8:00 a.m. - 4:00 p.m., with Wednesday and Thursday as non-workdays. At that time, the Reserve Gas Serviceman informed his supervisor that he had jury duty during the following week and thought it was to begin on Tuesday, October 9. The supervisor requested verification of the jury duty date. On October 2, the grievant requested and was granted Monday, October 8, off as a vacation day.

The grievant assumed that, because he had jury duty, his schedule would be changed to Monday through Friday; however, he never questioned his supervisor about such a schedule change. There was no further discussion between the employee and the supervisor concerning his assigned schedule or jury duty between October 2 and October 10, 1984.

When the grievant did not report for work on Sunday, October 7, 1984, the supervisor called his home and left a message on the recorder to call in. The grievant did not. The next day was the scheduled vacation day so the supervisor did not try to contact the grievant. On Tuesday, October 9, 1984, when the grievant again failed to report for work or call in, the supervisor left messages on the employee's recorder twice. The grievant did not call in.

On Wednesday, October 10, 1984, the supervisor called the grievant at 8:03 a.m. The grievant called back at 8:08 a.m. During this conversation, the

grievant stated he had been on jury duty Tuesday and was required to report for jury duty still. The supervisor agreed to change Tuesday's unauthorized absence to jury duty and again requested confirmation of the jury duty dates. The grievant provided this information when he reported to work on Sunday, October 14, 1984.

The grievant stated he did not report for work on Sunday, October 7, because he believed his schedule should have been changed to Monday-Friday and assumed that it had been.


Discussion

The Committee reviewed the language of Section 101.10(a) of the Physical Agreement and agreed that the rescheduling of the basic workweek to Monday-Friday is inapplicable to an employee working the first shift.

Decision

The letter of reprimand for the unauthorized absence was for just and sufficient cause; however, the parties agreed to some modification of the letter. The denial of pay for October 7, 1984 was appropriate since the employee did not work and was scheduled to do so. This case is closed without adjustment, and such closure should be so noted by the Local Investigating Committee.


DAVID J. BERGMAN, Chairman
Review Committee


ROGER W. STALCUP, Secretary
Review Committee

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