

REVIEW COMMITTEE**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
 LOGGED AND FILED**

JUN 19 1986
 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 JUN 19 1986

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Joaquin Valley Region Grievance No. 25-839-86-1
 P-RC 1106

June 16, 1986

TOM C. PHEBUS, Company Member
 San Joaquin Valley Region
 Local Investigating Committee

FRANK HUTCHINS, Union Member
 San Joaquin Valley Region
 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 concerns the discharge of a Troublemaker for diversion of energy.

Facts of the Case

The grievant was employed December 26, 1955 as a Groundman and has no record of prior disciplinary action. On August 26, 1985, a Meter Reader found a broken or missing outer seal at the grievant's residence. The Meter Reader filled out a Meter Irregularity Report which includes the account number, meter number, date and irregular condition found.

These reports are investigated by Revenue Protection Representatives; and if evidence of meter tampering is found on an employee's account, the meter and all other evidence are turned over to the Security Department. In the instant case, this occurred on November 5, 1985. The grievant was interviewed by a Security Department Representative on November 7, 1985 and was discharged effective January 6, 1985 for diversion of electric energy.

Discussion

The Committee made an exhaustive review of the record; inspected the meter, meter ring, seals; and looked at numerous photographs. It was noted that there is no admission of energy diversion by the grievant; thus, the case must be resolved on the basis of the evidence presented by the Company. As to the penalty, if diversion is established and the employee is deemed responsible, then the consequence is as stated in Review Committee Decision Nos. 1451 and 1452. That is, discharge.

The Committee concluded that the evidence supporting energy diversion

presented in this case was at least equal to others which have preceded it in the grievance procedure.

Decision

The discharge was for just and sufficient cause. This case is closed without adjustment. Such closure should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

MAShort(222-1123):mc