

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

PACIFIC GAS AND ELECTRIC COMPANY
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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 OCT 24 1986**

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Joaquin Division Grievance No. 25-803-85-46
P-RC 1124

October 22, 1986

ROBERT J. STEELE, Company Member
San Joaquin Division
Local Investigating Committee

FRANK HUTCHINS, Union Member
San Joaquin 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(v) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

A Troublemaker was given a two-day disciplinary layoff for failure to wear a hard hat while working in an elevated position.

Facts of the Case

The General Foreman observed the grievant standing on the back of a truck with the control door to a capacitor bank opened. The grievant was inspecting the capacitor.

San Joaquin Division had a policy issued January 21, 1977 (revised subsequent to the instant case) which stated in part:

"Hard hats shall be worn by all employees in the following designated areas:

- "1. Where new business, construction or reconstruction work is being performed.
- "2. Where maintenance or operating work is being performed."

This incident occurred on June 5, 1985. Previously the grievant had received a letter of reprimand dated May 10, 1982 for his involvement in a switching error. On January 31, 1984, the grievant received a one-day disciplinary layoff for being involved in a second avoidable auto accident in less than a year.

Discussion

October 22, 1986

The Union and grievant argued in this case that no work was being performed by the grievant when he was observed by the General Foreman and, therefore, no hard hat was required. The grievant stated he was just checking the position of the capacitor var and that he was not in a hazardous position. The grievant further stated that he has been around 25 years and has never had to be told to put on his hard hat or roll down his sleeves.

The Company opined that the checking of a capacitor is maintenance work and the wearing of hard hats is for the protection of the employee even in those situations where the potential for injury seems remote.

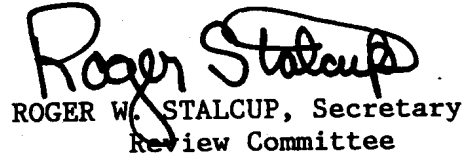
Decision

The Pre-Review Committee agreed to settle this case by reducing the disciplinary layoff from two to one day based on the facts of this incident in conjunction with the grievant's prior disciplinary record which were for safety-related violations.

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



DAVID J. BERMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

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