

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**

MAY 20 1987

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 MAY 4 1987

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

East Bay Region Grievance No. 1-2418-86-61
 P-RC 1132

April 30, 1987

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

ART MURRAY, Union Member
 East Bay 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(v) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case concerns a request for reimbursement for personal tools reported as stolen.

Facts of the Case

On Friday, February 14, 1986, the grievant secured his personal tools in a line truck. During the ensuing weekend, major storm damage occurred and the line truck was needed for overtime assignments. Five sets of tools, including the grievant's, were removed and placed in the hot stick room in the service center. The hot stick room was left unlocked. Upon the grievant's return to work on Tuesday, February 18, 1986, he discovered several items missing. The grievant requested reimbursement for the items, pursuant to Section 107.3 of the Agreement.

Discussion

It was the Union's position that the grievant had appropriately secured his tools prior to leaving for the weekend and had, therefore, met his obligation for safe storage. The Union grieved that the Company removed the grievant's tools from the line truck and failed to store them in a secured area, allowing the theft to take place.

The Company noted that there were lockers provided for safe storage of tools at the service center and argued that the grievant could have utilized those lockers rather than the bin on the line truck. However, Company agreed that the locked tool bin on the crew truck is considered to be a safe storage area. The Company further argued that Subsection 107.3(b) specifically requires "evidence by the employee of the theft" prior to entitlement for reimbursement

of stolen tools. The Company did not believe that such evidence was shown.

Decision

At the outset, the Committee agreed that the grievant's request for reimbursement for personal tools that are not on the negotiated list is inappropriate. As to the remaining tools, specifically one 6 inch wooden folding ruler, one 9 inch Klein plier (cutters), and one Klein skinning knife, the Committee agreed that due to the circumstances surrounding this case, a non-prejudicial equity settlement was in order. Upon providing a receipt verifying the purchase of replacements for the above three tools, the grievant will be reimbursed one-half the cost of said tools.

On the basis of the above, this case is closed, 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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