

REVIEW COMMITTEE**PG and E**

PACIFIC GAS AND ELECTRIC COMPANY
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D.J. BERGMAN, CHAIRMAN

**CASE CLOSED
LOGGED AND FILED**

RECEIVED MAY 19 1987

IBEW

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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R.W. STALCUP, SECRETARY

- ☐ DECISION
☐ LETTER DECISION
☐ PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1556-86-64
P-RC 1166

May 19, 1987

RICHARD S. BAIN, Chairman
General Construction
Joint Grievance Committee

BARRY J. HUMPHREY, Chairman
General Construction
Joint Grievance Committee

Subject of Grievance

One-day disciplinary layoff for insubordination and verbal abuse.

Facts of the Case

The grievant, a Painter in Fleet Services Department, attended a safety meeting on June 4, 1986. During the meeting, the grievant asked several questions that resulted in loud arguments between the grievant and a Lead Painter. The grievant's remarks were related to a complaint about not being informed in advance about the meeting followed by a complaint about alleged improper ventilation in the paint area, neither of which were appropriate or related to the subject of the meeting. In his testimony, the grievant indicated that he and the Lead Painter became embroiled in an argument on two occasions during the meeting.

Other employees who were present during the meeting were interviewed by the Local Investigating Committee. Four employees stated that the grievant made snide remarks about the Lead Painter and was trying to "entrap the Lead Painter into a confrontation." Two other employees stated that while there was loud argument and snide remarks, both employees instigated the situation.

The following day, June 5, 1986, an exempt supervisor who had been present at the safety meeting requested that the Lead Painter record in a log the incident of the preceeding day. While preparing the log, the grievant approached the Lead Painter to "find out what was going on." He was instructed to return to his work area by the exempt Foreman. Prior to doing so, however, the grievant again addressed the Lead Painter, making several derogatory comments to him. Additionally, grievant did not return to his work area until he was directed to do so a second time by the exempt supervisor.

During the course of the day on June 5, 1986, the shop supervisor was collecting information related to the incident. Upon concluding his investigation, the shop supervisor called the grievant at home on the evening of June 5, and suspended him for one day, the following day, June 6.


Discussion and Decision

The Committee agreed that the discipline was for just and sufficient cause. The Committee noted, however, that it was not appropriate in this instance for the shop supervisor to call the grievant at his home in the evening to suspend him for the following day.

Based on the foregoing, this case is closed without adjustment, and such closure should be noted in the Joint Grievance Committee minutes.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

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