



# REVIEW COMMITTEE

7.1 - Just cause for disc.-  
fitness for duty -  
alcohol



OCT - 3 1988

PACIFIC GAS AND ELECTRIC COMPANY  
215 MARKET STREET, ROOM 916  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 973-1125

**CASE CLOSED**  
**LOGGED AND FILED**  
**RECEIVED SEP 27 1988**

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

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

DCPP Grievance No. 22NPG-187-87-010  
P-RC 1257

September 7, 1988

CHER ANTHONY, Company Member  
Diablo Canyon Power Plant  
Local Investigating Committee

P. MIKE HAENTJENS, Union Member  
Diablo Canyon Power Plant  
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 5A(v) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the decision.

### Subject of the Grievance

This case concerns a five-day disciplinary lay-off given to a Routine Plant Clerk at Diablo Canyon Power Plant for reporting for work unfit for duty.

### Facts of the Case

Shortly after the start of work on December 12, 1986, the grievant had telephone conversations with two other employees who noted slurred speech and unusual voice and speech patterns. They reported this to the Senior Plant Clerk in the grievant's work group. The Senior Plant Clerk met with the grievant and noted the slurred speech and a strong odor of alcohol. He told the grievant to request permission from the supervisor to go home. The grievant refused and left the site without authorization.

This incident raised a reasonable concern about the grievant's reliability pursuant to NRC guidelines and her unescorted access was revoked. As a result, she was reevaluated through the Behavioral Reliability Program. The result of the reevaluation was a Conditional A finding which means that the grievant could perform her duties in a safe, reliable, and trustworthy manner if she met the following conditions:

1. Attend out-patient alcohol counselling.
2. Attend individual and marital counselling.
3. Abstain from alcohol while in the employment of PG&E.
4. Re-evaluation in six months.

The 6-month follow-up re-evaluation set the conditions:

1. No alcohol consumption while employed by PG&E.
2. Complete out-patient counselling until released by counselor.

On January 29, 1986, the grievant had reported for work in an unfit condition. At that time, no disciplinary action, other than counselling, was taken based on her excellent work record and her commitment to seek help through EAP.

In June or July 1986 a supervisor noticed a glazed look in the grievant's eyes, but detected no odor of alcohol and took no action.

#### Discussion

The Union argued that the five-day disciplinary lay-off was too severe and reviewed a number of similar cases from around the system where employees who were unfit as a result of alcohol consumption received discipline ranging from a letter to up to three days off for first offenses. Company pointed out this was not a first offense. Union responded that Company chose not to discipline the grievant for the prior incidents which did not make it appropriate to escalate the discipline for this incident.

Company did not agree with the position as a categorical statement, but noted that an offer to reduce the disciplinary lay-off to three days had been made by the Company at the Local Investigating Committee and that the more important issue were the continuing conditions placed on the grievant in order to maintain unescorted access to the plant. Those conditions were the basis for the Union's rejection of the Local Investigating Committee settlement offer.

Company also stated that this type of offense is viewed more seriously for nuclear plant workers and, therefore, more severe discipline is meted out. The Union did not agree that this was appropriate.

#### Decision

Recognizing that the original disciplinary letter has been removed from the grievant's 701 file as a result of conversion to the Positive Discipline system and in an effort to resolve this case, the Committee agreed to restore two days of the disciplinary lay-off to the grievant. The on-going conditions outlined in the letter dated August 14, 1987 are to continue. These conditions are case specific and the resolution of this grievance is without prejudice to the Company or Union's positions in negotiating an alcohol and/or drug policy for Diablo Canyon Power Plant.

This case is closed on the basis of the foregoing and the adjustment contained herein. Such closure should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee