



REVIEW COMMITTEE

RECEIVED FEB 24 1995

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
201 MISSION STREET, ROOM 1508
MAIL CODE P15B
P.O. BOX 770000
SAN FRANCISCO, CALIFORNIA 94177
(415) 973-8510

**CASE CLOSED
FILED & LOGGED**

FEB 24 1995

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

**Central Coast Division Grievance No. CCH-94-11
P-RC 1864**

**KAREN SANTAELLA, Company Member
Local Investigating Committee
Central Coast Division**

**GARY HUGHES, Union Member
Local Investigating Committee
Central Coast Division**

Subject of the Grievance:

This case involves the discharge of a Meter Reader for allegedly curbing 3 meters.

Facts of the Case:

The grievant is a Meter Reader in Santa Cruz with 10 years service, the last 4 years as a Meter Reader. The Fact Finding Committee determined that two of the three meters allegedly curbed were misreads. The Fact Finding Committee could not reach agreement on whether the third meter was misread or curbed.

In November 1993, a Records Clerk identified a possible "dead register" (non-registering) meter at a residential account in Boulder Creek. In December 1993, a Troubleman inspected the meter and noted that the read (00723) was less than the read recorded by the grievant on November 3, 1993 (00779). A subsequent investigation determined that the Meter Reader had entered the same read (00779) at the account on September 7, October 5, November 3, and December 7, 1993.

On January 6, 1994, the grievant read the account and entered a reading (00744) which was lower than the 4 previous reads and generally consistent with the Troubleman's read in late December. The grievant alerted her supervisor that the January read was lower than the read recorded in the 4 previous months. A field investigation was performed by a Revenue Protection Representative and no indication of meter tampering was found.

The grievant stated that she normally read this rural account through binoculars from a distance of approximately 350 feet for time and safety considerations, as there was a sump hole close to the meter location. She believes that she misread the meter at 00679. In January, she elected to go up to the meter to determine the reading since she observed people with power tools working at the account.

The customer of the account in question states that the residence was unoccupied between September-December 1993 and that he may have turned on a light bulb for a few hours on some weekends in September and October. He denies visiting the home in November or December 1993.

Discussion:

The Union opines that the Meter Reader simply over read the meter by 100. The testimony of the owner indicated that there was little or no usage of electricity between September and December which would indicate any electric use at the meter. The Union also notes that the grievant alerted her supervisor of her lower reading in January when she witnessed electric use and possible meter tampering.

The Company argued that the grievant had curbed or misread the meter and had willingly carried the incorrect read 3 months in hopes that usage would catch up with the reading. The Company maintained that it was immaterial whether the employee's September read was a misread or a curb; that it was inconceivable that she could have misread the meter 4 months in a row and that discharge was appropriate for carrying an incorrect read.

The Pre-Review Committee noted that there are inconsistencies in the set of facts presented in this case, most notably that the customer claimed no electric usage in November-January, however the Troublemaker and Revenue Protection Representative's reads support the grievant's testimony that there was some usage in late December.

The Committee also reviewed the language in Arbitration Case No. 144 in which Arbitrator Chvany stated that "if the reading is due to unintentional inaccuracy on the grievant's part, discharge would be an excessive penalty."

Decision:

Based on the uncertainty of some facts in this case and the possibility that the grievant did misread the account by 100 over a four month period, the Pre-Review Committee determined that the grievant should be reinstated with back pay at the Written Reminder step of Positive Discipline. This case is settled without prejudice or precedent to the position of either party and should be closed by the Local Investigating Committee.



JOHN A. MOFFAT, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

Date: 2/24/95

Date: 2/24/95