



REVIEW COMMITTEE

IBEW



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**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W
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WALNUT CREEK, CALIFORNIA 94596
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R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

**Fresno Division Grievance No. FRO-97-15
Fact Finding Committee No. 6512
Pre-Review Committee Case No. 2112**

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

MONICA OAKES
Company Member
Local Investigating Committee

JIM LYNN
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Written Reminder that was issued to a Utility Clerk, Customer Services, for failing to properly safeguard cash.

Facts of the Case

On January 14, 1997, the grievant was performing work as a Cashier on the front counter. At the end of the day when the grievant was balancing, she discovered that she was short \$500.00. The grievant handled 175 transactions on January 14, 1997 and had done two cash turn-in's during the day, both of which balanced. In the LIC Report, the grievant stated that she thought that the missing \$500.00 would be found in the mid-day deposits. However, on January 15, 1997, both a Head Cashier and a former Head Cashier continued the search for the \$500.00, including a review of the mid-day deposits, but could not locate the money. In addition, the Supervisor reviewed the grievant's bundle of stubs and compared them to the grievant's LOPP system (Local Office Payment Processing) tape. The Supervisor confirmed that all of the entries matched and there were no inconsistencies.

In the LIC Report, the grievant stated that she experienced no equipment problems on January 14th. The grievant recalled that January 14th had been a "slow day" with regards to customer traffic and she did not recall any problems whatsoever. The grievant recalled processing two large cash transactions on January 14th, one for over \$600.00 and one for over \$500.00. The grievant stated in the LIC Report that she locks her cash drawer when leaving her work station but that she doesn't typically check the security drop box located below her work surface since it is always locked. The grievant stated that sometimes cash sticks out of the top of the security drop box on

busy days when the box is full. However, the grievant also stated the money gets stuck even when the box is not completely full. In the LIC Report, the grievant speculated to the Supervisor that someone took the missing \$500.00 from the security drop box or cash drawer. During the LIC meeting, the grievant showed the LIC Committee a "stuffer" she made out of cardboard subsequent to the January 14, 1998, in which she uses to push bundles of cash to the bottom of the security drop box each time she deposits money in the box.

Discussion

The Pre-Review Committee noted from the outset that subsequent to the Written Reminder being issued to the grievant, the grievant had been issued a Decision Making Leave (DML) on August 1, 1997 for failing to properly safeguard cash when the grievant cash drawer was short \$100.00. The DML issued to the grievant was not grieved.

The Company argued that one of major areas of responsibilities of an employee working as a Cashier is to safeguard the cash that is received from the customer. In the situation at hand, the grievant's failure to properly safeguard cash resulted in a substantial loss to the Company in the amount of \$500.00. After an exhaustive search, it was determined that the only plausible explanation for the disappearance of the \$500.00 in which the grievant was responsible was as a result of the grievant's failure to safeguard the cash. In the LIC Report, the grievant admitted that she may have left her work station while a \$500.00 bundle of cash was sticking out of the top of the grievant's drop box. As such, the Company argued that the Written Reminder issued to the grievant was for just and sufficient cause.

The Union argued that the Written Reminder issued to the grievant was too severe. The Union argued that this is a situation in which the money that was lost was done so due to error or negligence on the part of the grievant. The Company has failed to produce evidence which would indicate that the grievant failed to properly safeguard cash. In addition, the grievant in this case is an employee with 16 years of cash handling experience who has no prior history of cash handling problems nor has any active discipline on file.

Decision

The Pre-Review Committee could not agree over the severity of the discipline issued to the grievant. However, inasmuch as the grievant has been issued a DML for the same violation (i.e. failing to properly safeguard cash) which was not grieved and remains active, in an effort to settle this case, the Committee agrees to reduce the Written Reminder to an Oral Reminder. In addition, the Committee reaffirmed that the DML issued to the grievant will remain active for 12 months and that any violation which occurs within this time frame that requires disciplinary action may subject the grievant to termination.

On the basis of the foregoing, this case is considered closed without prejudice to either party.

Margaret Short

Margaret A. Short, Chairman
Review Committee

4/20/98

Date

Roger Stalcup

Roger W. Stalcup, Secretary
Review Committee

4/20/98

Date