



PACIFIC GAS AND ELECTRIC COMPANY
 2850 SHADELANDS DRIVE, SUITE 100
 WALNUT CREEK, CALIFORNIA 94598
 (925) 974-4123

MARGARET A. SHORT, CHAIRMAN

DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

REVIEW COMMITTEE

RECEIVED by LU 1245
 MAY 30, 2000

CASE CLOSED
FILED & LOGGED

IBEW



INTERNATIONAL BROTHERHOOD OF
 ELECTRICAL WORKERS, AFL-CIO
 LOCAL UNION 1245, I.B.E.W.
 P.O. BOX 4790
 WALNUT CREEK, CALIFORNIA 94596
 (925) 933-6060
 BOB CHOATE, SECRETARY

North Coast Grievance No. ETBUN-99-04
 Pre-Review Committee No. 11576

Mary Cogan
 Company Member
 Local Investigating Committee

Larry Pierce
 Union Member
 Local Investigating Co

Subject of the Grievance

Company has prohibited the consumption of "non-alcoholic beer" during working hours and on Company property or job site.

Facts of the Case

No LIC was held.

The Union's position is that, "it is not physically possible to consume sufficient quantities of non-alcoholic beer to become impaired in any way. Non-alcoholic beer is not classified or controlled as an alcoholic beverage by state or federal law. The company's actions impair employee civil liberties and constitute a change in conditions of employment without benefit of negotiations."

Included as an exhibit was an earlier grievance filed on behalf of two employees given Oral Reminders for consuming non-alcoholic beer (O'Douls) with a meal on Company time. The Orals were rescinded after it was learned that management had previously served O'Douls to employees working emergency overtime storm damage.

Discussion

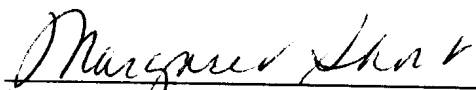
The PRC reviewed the minutes from the November 18, 1998 Quarterly Pacific Gas & Electric Company and IBEW Health and Safety Committee meeting. The topic of "near beer" was discussed and Company's prohibition communicated. It was also noted that there is some alcoholic content (less than 0.5% by volume) in non-alcoholic beer. In addition, the O'Douls, Sharps, non-alcoholic Coors, Buckler, and many more brand name non-alcoholic bottles have the same look as regular beer and as such could leave our customers with the impression that our employees are drinking on the job. In careful review of several non-alcoholic beer, they contain malt, barley, hops, and other similar ingredients used in making beer. Additionally, in random calls to liquor stores, pizza restaurants, and grocery stores, the PRC could not find any of the contacted establishments that would allow minors to buy or consume non-alcoholic beer on their premises.

In addition, the Committee reviewed PRC 414 which prohibits the consumption of alcohol even during the lunch period as the effects of alcohol vary from individual to individual. The Code of Safe Work Practices (accident prevention rules) and the Corporation's Standards For Personal Conduct and Business Decisions (replaced SP 735-6-1) also prohibit the consumption of alcohol and require employees to be fit for duty.

Decision

The PRC is in agreement that Company has the right to promulgate reasonable work rules and the Union has the right to challenge the rules if they feel that the rules are unreasonable, capricious or arbitrary. The PRC further agreed that the prohibition of consuming "near beer" or non-alcoholic beer, in this case, is a reasonable rule in light of Company's image concerns.

This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

5/25/00

Date



Bob Choate, Secretary
Review Committee

5-25-00

Date