



## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
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RECEIVED by LU 1245  
NOV. 5, 2001  
**CASE CLOSED  
FILED & LOGGED**

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  
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL

### PRE-REVIEW COMMITTEE FILES NO. 12073 & 12075 OM&C - Gas Construction - East Bay

Bill Levins  
Company Member  
Local Investigating Committee

Lula Washington  
Union Member  
Local Investigating Committee

#### Subject of the Grievances

These cases concern Written Reminders given to a Working Foreman B and a Backhoe Operator for unsafe work practices resulting in a gas dig-in creating a hazardous situation and the shut-off of gas service to the Oakland Army Base for five days.

#### Facts of the Case

On September 13, 2000 a four-person crew was assigned to tie in a new plastic line feeding the Oakland Army Base. The Working Foreman conducted a tailboard. They discussed prospecting by hand to locate all substructures. The Backhoe Operator was to dig away from the substructures and not over the pipeline.

The supervisor explained that Company policy which requires hand excavation within 24" of either side of a facility. The area had been clearly marked.

The Backhoe Operator testified he set his backhoe with the butt end facing the bell hole. He removed the street asphalt layer with the backhoe and then began digging into the soil. He found a 4" water line, then a 3/4" line with wires attached, then a drain. Finally, he came in contact with the 3" plastic gas line. When he raised the backhoe bucket, he tore a hole in the pipeline of approximately two inches. The Backhoe Operator stated he believed he hit the pipe because the pipeline was angled in the bell hole and this was not reflected on the print.

The supervisor stated it was his understanding that the street was properly marked for the facilities but the crew extended the original pipeline marks outside of the bell hole to be dug in order to identify where the pipeline was located under the street.

The crew did no hand excavation until after the dig-in.

It was intended that the job be completed without shutting down service, however, after the dig-in, the lines had to be completely purged, all facilities checked before gas could be reintroduced into the system. Overtime was worked through the weekend to restore service.

No DOT post-accident testing was performed.

The Working Foreman has long service and had no active discipline prior to this incident. The Joint Statement of Facts does not indicate whether the Backhoe Operator had any active discipline nor are copies of the Written Reminders or the PD Logs included.

Discussion

Union argued that the grievants performed the job in a safe and procedure compliant manner, that the dig-in occurred because the print was mismarked. Union opined that Written Reminders were too severe because the Working Foreman was not involved in the dig-in as he was in his truck doing paperwork and the Backhoe Operator was operating from prints with street markings that were in error. Union proposed reducing both WR's to Oral Reminders.

Company opined that the grievants did not follow established procedure which had recently been reviewed in a local training session, nor did they follow what they tail boarded. Further, the Working Foreman is responsible for what occurs at the job site.

Decision

The PRC agreed that the Written Reminders were issued for just cause and closes this case without adjustment.

*Margaret A. Short*

Margaret A. Short, Chairman  
Review Committee

*11/5/01*

Date

*Sam A. Tamimi*

Sam Tamimi, Secretary  
Review Committee

*11-5-01*

Date