

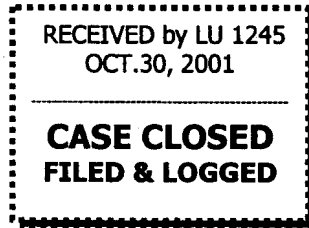


PACIFIC GAS AND ELECTRIC COMPANY
 2850 SHADELANDS DRIVE, SUITE 100
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 (925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

REVIEW COMMITTEE



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
 SALIM A. TAMIMI, SECRETARY

7.1: These cases concern a violation of a work procedure, DCS Guidelines D-G0013, resulting in a fire to a customer's home. Agrees that just and sufficient cause existed for the WR given to the Lineman; however, agrees to reduce the DML to a WR without prejudice given to the Elec. Crew Leader.

PRE-REVIEW COMMITTEE FILE NOS. 12465 and 12466 OM&C – Electric T &D – Concord

Karen Savelich
 Company Member
 Local Investigating Committee

Lula Washington
 Union Member
 Local Investigating Committee

Subject of the Grievances

These cases concern a Written Reminder and a Decision Making Leave given to a Lineman and Electric Crew Leader for violation of a work procedure, DCS Guideline D-G0013, resulting in a fire to a customer's home.

Facts of the Case

On January 31, 2001 a crew was dispatched to reconductor a span of secondary and change out a transformer to a larger size to accommodate a voltage problem. The crew consisted of the ECF, two Linemen, and an Apprentice Lineman. The supervisor who investigated the incident testified that the crew told him they installed the upgraded transformer, then removed the secondary between the two poles. The crew then installed the two services to the existing transformer and energized it. After about 20 minutes, the crew noticed smoke coming from the house. They sprayed the house with water and called 911. Damage to the customer's property was extensive, approximately 70% of the garage.

The crew did not open the main or pull the meter to do a voltage check before the service was energized. The supervisor testified that it was necessary test in this instance because they were changing from one source to another. The ECF indicated he did not open the main or pull the meter to check voltage because he did not think it was necessary, they were only re-energizing the existing transformer. The transformer was 480kv and they thought it was 120kv which is what the print showed.

The CPUC conducted an investigation of this incident with the crew and others.

The ECF had no active discipline prior to the DML, 32 years of service, and many cumulative years experience as a Crew Leader.

The second grievant, the Lineman who was given a Written Reminder, had active a coaching and counseling in Work Performance and an Oral Reminder in Attendance. He had approximately 4 ½ years of service at the time of the incident.

The Apprentice Lineman received a coaching and counseling. The other Lineman who was working apart from the crew was not disciplined.

At the time of the LIC, March 28, 2001, the ECF indicated that to that point there had been no follow-up meeting with any supervisor following his return to work on February 14, 2001 from the DML. The grievant also testified that the supervisor brought the DML letter to the job site four days later and handed it to him, told him what the letter was for and left. He did not ask him if he wanted to continue working for PG&E.

The supervisor testified he felt it would have been an insult to ask the grievant if he wanted to retain his employment.

Discussion

At the outset, the PRC agrees that there is just cause for discipline for violation of the work rule. The committee agreed that the Written Reminder is appropriate.

As to the DML, the committee had a lengthy discussion about the severity of the DML and the fact that the ECF had no active discipline. Union believes that it is too severe based on the ECF's record and long service.

Company responded that it is normal for the crew leader to receive a higher level of discipline than the crew members when there are incidents involving work performance or conduct since the crew leader has responsibility for what goes on at the job site. This is a well established disciplinary principle supported by many precedent decisions over the years. Further, this ECF was not just overseeing the work but was directly and personally involved in portions of the job during which he should have performed the check or taken note of other indicators to identify the proper voltage of the transformer.

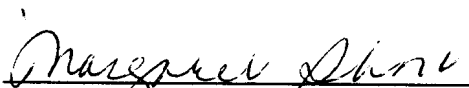
The PRC then discussed how the discipline was administered in this case. The negotiated procedure contemplates that supervisors and employees will view the steps in the process seriously and as opportunities to correct behavior. It is intended to provide a forum for open discussion and commitment. It is also intended to be conducted in a private environment.

Decision

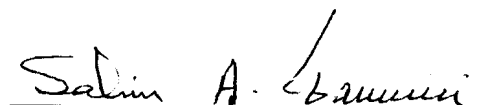
The PRC agrees that just and sufficient cause existed for the Written Reminder and Grievance No. 12466 is closed without adjustment.

The PRC agrees to reduce the DML to a Written Reminder without prejudice. This reduction in no way changes discipline to be meted out in future situations.

These cases are closed on the basis of the foregoing. Such closure should be so noted by the LIC.


Margaret A. Short, Chairman
Review Committee

10/30/01
Date


Sam Tamimi, Secretary
Review Committee

10-30-01
Date