



# REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
2850 SHADELANDS DRIVE, SUITE 100  
WALNUT CREEK, CALIFORNIA 94598  
(925) 974-4282

RECEIVED by LU 1245  
OCT. 16, 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 Nos. 12645, 12646, and 12649 OM&C - Area 1 - Gas T&D - Colma

Vern Wittman  
Company Member  
Local Investigating Committee

Bernard Smallwood  
Union Member  
Local Investigating Committee

### Subject of the Grievance

These three cases concern Written Reminders issued for violation of the congregating policy. The PRC has agreed to return them to Fact Finding for closure without adjustment.

### Decision

These cases are removed from the PRC agenda. Copies of the Memorandum of Disposition are to be forwarded to the PRC for the file.

*Margaret Short*

Margaret A. Short, Chairman  
Review Committee

10/16/01

Date

*Salim A. Tamimi*

Sam Tamimi, Secretary  
Review Committee

10-16-01

Date

RECEIVED by LU 1245  
Nov. 26, 2001

**MEMORANDUM OF DISPOSITION**  
**Peninsula Grievance - Gas T&D, Colma**  
**Fact Finding Committee No. 12646**

**CASE CLOSED**  
**FILED & LOGGED**

**Grievance Issue:**

This case concerns a written reminder given to a Fieldperson upgraded to Equipment Operator for misuse of Company time and congregating while having breakfast at a restaurant.

**Discussion:**

Union members opined that the discipline should be mitigated because, as one of five employees who gathered in the restaurant, the Grievant was discussing the death of a coworker with fellow employees and they were all consoling each other. Grievant had learned about the death that morning and when he arrived at his job site, he went along with his Crew Foreman's suggestion that they go to another job site to check on the well being of another employee. When they found the other employees in a restaurant, Grievant was told by his Foreman that he could order breakfast but that he would be docked ½ hour pay. Grievant completed his time card as such. Union believes that the acting exempt supervisor was there and had authorization to buy employees breakfast.

Company members noted that Grievant went along with the other employees when he went to the restaurant and ordered breakfast. No one coerced him into leaving his job site or into staying in the restaurant to eat. There also is no evidence that Grievant was upset about the death or was too upset to work. During the LIC, the supervisor testified that he discussed the coffee and breakfast rule at two stand-up meetings in 2001. Grievant testified that the supervisor may have told employees these rules at some point. A written reminder level of discipline has been upheld in the grievance procedure for congregating alone. This employee parked his PG&E vehicle next to three others outside the restaurant while he ordered breakfast, instead of working as an Equipment Operator.

**Decision:**

After discussing this case at length, the Fact Finding Committee referred it to the Pre-Review Committee in July 2001. The Pre-Review Committee then returned it to Fact Finding for closure without adjustment. Based on the decision of the P-RC, the written reminder was for just and sufficient cause. This case is closed.

<u>Ken Ball</u> Ken Ball, Sr. Business Rep.	concur/ <del>dissent</del>	<u>11-26-01</u> date
<u>Bernard Smallwood</u> Bernard Smallwood, Business Rep.	concur/ <del>dissent</del>	<u>11/9/01</u> date
<u>Carol Pound</u> Carol Pound, Sr. Labor Rel. Rep.	<u>concur</u> / <del>dissent</del>	<u>10-30-01</u> date
<u>Vern Wittman</u> Vern Wittman, HR Advisor	concur/ <del>dissent</del>	<u>11/5/01</u> date