



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 A. Short, Chairman
Review Committee

10/16/01

Date

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. 12649

CASE CLOSED
FILED & LOGGED

Grievance Issue:

This case concerns a written reminder given to a Gas Mechanic for misuse of Company time and congregating while having breakfast at a restaurant.

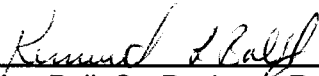
Discussion:

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. Companion grievances on discipline issued to other employees show that the employee Grievant was with in this case was very upset to learn about the death that morning. Union believes that the acting exempt supervisor was there and had the authority to buy employees breakfast.

Company members noted that, by the Grievant's own admission, he went into the restaurant for coffee and was "overwhelmed by the smell of bacon" which prompted him to sit down and order breakfast instead of returning to work. There is no testimony or other evidence that suggests Grievant was too distraught to work. If that were the case, he should have contacted his supervisor. During the LIC, the supervisor testified that, not only did he discuss the coffee and breakfast rule at two stand-up meetings in 2001, but he had also told the Grievant specifically during the last week of March not to stop for breakfast or stay to drink coffee in a restaurant or coffee shop. Grievant doesn't remember this but testified that he may not have been paying attention. A written reminder level of discipline has been upheld in the grievance procedure for congregating alone. This employee not only parked his PG&E vehicle next to another outside the restaurant while he had breakfast, but did so when he was being paid to work as a Gas Mechanic.

Decision:

After discussing this case at length in July 2001, the Fact Finding Committee referred it to the Pre-Review Committee. 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.



Ken Ball, Sr. Business Rep.

concur/~~dissent~~


11-26-01
date



Bernard Smallwood, Business Rep.

concur/~~dissent~~

11/9/01
date



Carol Pound, Sr. Labor Rel. Rep.

concur/~~dissent~~

10-30-01
date



Vern Wittman, HR Advisor

concur/~~dissent~~

11/5/01
date