



# REVIEW COMMITTEE



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

RECEIVED by LU 1245  
AUG. 6, 2002

**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 No. 13321

Rose Veridiano  
Company Member  
Local Investigating Committee

Arlene Edwards  
Union Member  
Local Investigating Committee

### Subject of the Grievance

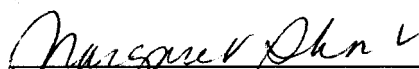
This case concerns a DML given a Utility Machine Operator for taking and copying a check for another employee without permission.

### Discussion


The PRC discussed this case at great length. Most of the discussion centered on the severity of the discipline. The Committee finally reached a mutually acceptable conclusion and agreed to refer the case back to Fact Finding for resolution.

### Decision

The Fact Finding Committee is to prepare a Memorandum of Disposition which reflects the parties' discussion and the agreed upon settlement. A copy of the fully signed MOD is to be forwarded to the PRC for the file. Should there be any reason the FF Committee cannot close this case, the PRC retains jurisdiction.

  
\_\_\_\_\_  
Margaret A. Short, Chairman  
Review Committee

8/6/02  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sam Tamimi, Secretary  
Review Committee

8-6-02  
\_\_\_\_\_  
Date

RECEIVED by LU 1245  
Aug. 21, 2002

Fact Finding File Number 13321  
Memorandum of Disposition

**CASE CLOSED  
FILED & LOGGED**

Subject

This case concerns a Decision Making Leave (DML) issued to a Utility Machine Operator for opening and copying another employee's check without authorization.

Discussion

The Company argued that the discipline issued was appropriate given the severity of the grievant's action. Employees at West Sacramento are trusted with the confidentiality of the employees' payment checks. If this trust is violated (as it was in this case) it undermines the confidence employees need to have that their personal information will not be violated. The grievant did not have authorization, or even a business reason for his actions. The Mail Room supervisor did not question the grievant's actions because he had no reason to believe he did not have permission to remove the check. The Accounting Clerk did not give permission. The grievant was talking to her in her role as a shop steward, not as a representative of the Company.

The Union argued that the DML is too severe for the employee's action. The Mail Room supervisor was aware that he was pulling the check and didn't question him. Additionally, the Accounting Clerk said it was okay for him to pull the check. The Union listed other examples of employees committing far more serious breaches of confidentiality and receiving lesser discipline. These examples included using Multi-Vision to run credit checks on customers for personal reasons and accessing customer accounts for personal reasons. In most of these cases the employees received Written Reminders.

Disposition

The Committee agreed to the following non-precedent settlement without prejudice to the Positive Discipline Agreement. The DML will be upheld and remain active for the remainder of the 12 month active period with the following modification: The DML will be specific to conduct category of Positive Discipline, but not for the attendance or work performance categories. This means that the Company's action for any further conduct incidents will be based on his DML status and any other active discipline. The Company's action for any further work performance or attendance incidents will be based on the grievant's active discipline in that category at the time of the incident. If the grievant were to reach the level of DML in either of these categories, such DML will be considered all encompassing as described in the Positive Discipline guidelines.

A. A. Saxsenmeier *concur*  
Frank Saxsenmeier, for Union

8-15-02  
date

Doug Veader *concur*  
Doug Veader, for Company

8/15/02  
date

Kit Stice  
Kit Stice, for Union

8/20/02  
date

Rose Veridiano DCV *concur*  
Rose Veridiano, for Company

8/20/02  
date