

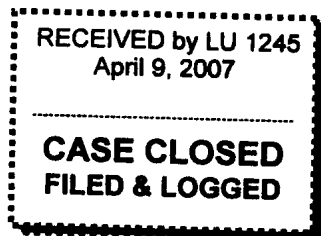
7.1: The Comm. agrees that there are no mitigating reasons for reducing or rescinding the WR given to a Fitter for an avoidable auto accident (the vehicle was totaled).



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MARGARET A. SHORT, CHAIRMAN
DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

REVIEW COMMITTEE



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
BOB CHOATE, SECRETARY

Pre-Review Committee No. 16553 Energy Delivery – Electric T&D - Jackson

Gina Wilcox
Company Member
Local Investigating Committee

Roger Stalcup
Union Member
Local Investigating Committee

Subject of the Grievance

This grievance challenges a Written Reminder given a Fitter for an avoidable auto accident which occurred on February 28, 2006.

Facts of the Case

Following a morning tailboard meeting, the grievant and an Appr. Lineman got in a ¾ ton pickup truck to go to the job site. Approximately, nine miles from the service center, the grievant fell asleep at the wheel. The vehicle drifted to the right shoulder where it impacted the guard rail. The right side front and rear wheels climbed over the rail and the vehicle "rode the rail", sliding on the undercarriage for approximately 75'. The vehicle then nosed further to the right and the vehicle fell approximately 20' striking the ground hood first, and then rolled over on the driver's side. The vehicle came to rest a few feet from Jackson Creek, which at the time was carrying an unusually high water flow due to the continuing storms. The vehicle was totaled.

The grievant worked his regular schedule on February 27 and emergency duty that evening. He reported for work at the regular start time, 7:30 a.m., on February 28 without having slept for the prior 26 hours. The Apprentice offered to drive, but the grievant declined. The grievant believed the Apprentice worked the night before also, but did not ask. The Apprentice had not worked the night before; he reported for work fresh on February 28.

The grievant had no active discipline at the time of the accident.

Discussion

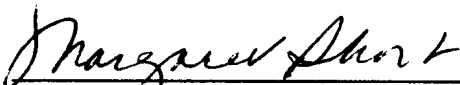
Union argued that Written Reminder was too severe for this incident, that the discipline should be mitigated because the grievant was tired from having worked so long.

Company responded that the discipline was appropriate giving consideration to the long hours worked by the grievant, the seriousness of this incident, the amount of damage to the truck, and the potential for injury.

The PRC discussed the importance of safety and defensive driving noting that the Company's incidence for vehicle accidents is higher than many other companies. Currently, the Company is experiencing an average of three auto accidents a day. Several initiatives are directed at turning this record around (such as, Smyth Driving Program; How Am I Driving? Program). With regard to discipline, Company continues to investigate, assess the facts, and determine the appropriate level of discipline.

Decision

The PRC agrees there are no mitigating reasons for reducing or rescinding the Written Reminder. This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

4/4/07

Date



Bob Choate, Secretary
Review Committee

4/4/07

Date