

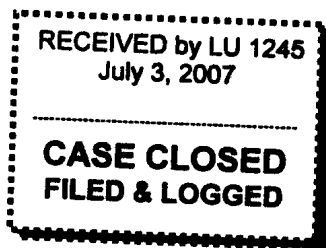
7.1: Due to the time frame the discipline is moot for the WR given to a DCPD Control Tech. for excessive personal use of a Co. computer and for timecard falsification. Closed without adjustment.



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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 2547
VACAVILLE, CALIFORNIA 95696
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BOB CHOATE, SECRETARY

Pre-Review Committee No. 16754 Nuclear Power Generation – Instrument & Control – DCPD

Cher Anthony
Company Member
Local Investigating Committee

Dan Lockwood
Union Member
Local Investigating Committee

Subject of the Grievance

This case involves a Written Reminder in the Conduct category given a Control Technician for excessive personal use of a Company computer and for timecard falsification.

Facts of the Case

During the 2R13 outage, a complaint was made by other employees that the MOV team's productivity was low. The grievant was a MOV team member. This complaint triggered an investigation resulting in interviews of employees and contractors; a review of security card histories; and a review of Internet usage reports.

The investigation found the grievant frequently accessed the Internet but he had no work related reason for doing so. On two occasions he spent 61 minutes and 102 minutes while on overtime. In addition the grievant overstated his overtime by more than 15 minutes on six occasions.

The grievant indicated he completed all his jobs on time; that there was a good deal of waiting around time and admitted logging into the Internet while waiting. Further, he believed there was some "give and take" as it related to his time card, as in the past the supervisor would allow employees to leave early and the supervisor would approve his time card, and some occasions the grievant adjusted his time card to reflect his time accurately that he may have taken some liberties about leaving early, but he was always available by pager, and responded when called

The grievant had no active discipline at the time the WR was issued.

Discussion

At the outset, the PRC agreed that it is appropriate to discipline for excessive personal internet use and timecard falsification. The issue in this case is the level of discipline and whether WR is too severe.

Company opined that the level of discipline is relatively light given that he falsified his timecard on multiple occasions and especially since he was receiving overtime pay. Company's PRC member cited Arbitration Case 186 which upheld the discharge of a DCPD employee who left the plant prior to the end of his shift on multiple occasions during an outage. There are some similarities in that case and this one.

Union argues that the grievant was singled out for an investigation. There were interviews behind closed doors about the grievant's work habits, filling out time cards early in the day is common practice , and his supervisor not giving him enough work for his shift.

As to the grievant's explanation that there was "give and take" in timecard completion, it is the understanding of the Pre-Review Committee that the policy has been clarified and communicated. Employees are to enter actual enter and exit times on the timecard.

Decision

There were several discussions on this issue and due to the time frame the discipline is moot. This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

6/30/07

Date



Bob Choate, Secretary
Review Committee

6/30/07

Date