

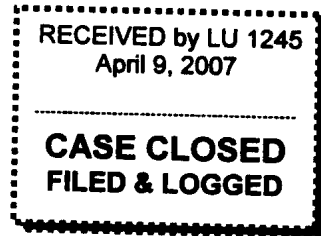
7.1: The DML given to a Troubleman for an avoidable auto accident was for just and sufficient cause for the seriousness of the major incident (grv. sustained severe injuries, as well as totaling a Co. vehicle).



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

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. 16776
OM&C – Electric T&D – Red Bluff**

Deanna Helm
Company Member
Local Investigating Committee

Kit Stice
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a DML given a Troubleman for an avoidable auto accident.

Facts of the Case

On September 7, 2005 while driving on a winding road, the grievant was feeling drowsy, drifted off the road, and lost control of his trouble truck. Conditions were clear; the time approximately 1:20 p.m. The truck swerved off the road to the right; he overcorrected and crossed over to the left side of the road; he again over corrected to the right causing the truck to roll over. The truck was totaled. The grievant's injuries resulted in his being off work until May 1, 2006.

The grievant stated he was almost at the end of a road that is approximately 7 miles and takes about 15 minutes to drive, when the accident happened. He felt tired and thought about stopping to drink some water but didn't see any place to pull over. The grievant had not worked overtime the night before and no explanation was provided for why he was tired. He states he was driving 40-45 in a 55 mph zone. The CHP report cited the cause of the accident as violation of Section 22107 VC – unsafe turning movement. The CHP report indicated the grievant "must have fallen asleep in the turn and the truck rolled over."

The grievant had about 22 years of service at the time of the accident and no active discipline.

Discussion


Union argued the DML was too severe, but does not specify on the grievance form, the LIC report, or the PRC referral summary what level of discipline for these set of facts it believes is appropriate. Union, at the LIC, cited several vehicle incidents involving other employees in

the yard where no discipline was taken. The PRC reviewed the information contained the LIC report about these incidents and found no disparate treatment as it relates to the grievant. None of the other incidents were of the magnitude of this one involving the grievant; he sustained severe injuries, as well as, totaling a company vehicle.

Company stated that a DML is appropriate for the seriousness of this major incident. Working and driving safely has been emphasized to employees over the last several years as the Company strives to improve its safety record.


Decision

The DML was for just and sufficient cause. 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