

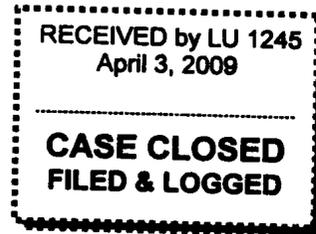


REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W.
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JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Pre-Review Committee Nos. 18288 and 18400 Energy Delivery – TSM&C Gates Sub

Margaret Franklin
Company Member
Local investigating Committee

Bob Dean
Union Member
Local Investigating Committee

Grievance Issues:

These cases concern first, the issuing of a DML and second the termination of an Electrician.

Facts of the Case:

The Grievant is an Electrician who was hired by the Company on May 29, 2001 after working as a Hiring Hall Electrician from January 15, 1997 to May 28, 2001.

The Grievant was hired as a Journeyman Electrician and has attended the Company's 40 hour Switchman Training.

Two switching errors were made one on February 2 and the second one on February 4, 2008. The grievant made the switching errors due to his lack of attention and failure to follow prescribed procedures. The employee felt a sense of urgency to get the circuit energized as soon as possible in the error on February 4.

On April 11, 2008, the grievant was issued a DML for the switching errors.

On April 25, 2008, the crew the employee was working on, was told to remove leads and the manner in which to perform the task by the supervisor. The supervisor then observed the grievant performing the task in an unacceptable and unsafe manner.

On April 25, 2008, the grievant was part of a three person crew performing working in a substation. The grievant reported off the feeder circuit and was given the okay to return the circuit. At the conclusion of the switching the grievant failed to report his times to the Distribution Operator and left the station. After being contacted by the DO the grievant returned to the station and reported times some four hours after the crew had left.

The events of April 25 were violations of UO Standard 1403, UO Standard 1466 Substation training for switchman, Module SE-04.

Discussion

The Union maintained that the grievant had just recently completed the 40 Hour switching class on a second try. He also missed the refresher training recently provided as well. In addition, the grievant had only been in the department a few months and clearly was not as experienced as the other Electricians in this area. Given his inexperience and the Company's failure to provide him adequate training, and that the entries into the substation logs are inaccurate, they in no way affected the safety or work of others. The Union maintains that the Decision Making Leave and discharge are too severe.

The Company maintained that the employee signed the department 212 list and in this case (DML) accepted the overtime assignment for this work. In addition, he is a journey level Electrician, had performed this type of work in the department for some time and had passed the required 40 hour class. Given that he is a fully qualified Journey level Electrician who has completed the Company courses in this work, he should be expected to perform the work safely and accurately.

The Company in the termination case maintained that given active Decision Making Leave, the severity of the incidents in question and the grievant's acknowledgement that he returned to a substation and falsified company documents, that the termination is appropriate.

Decision

The parties agree that this journey level employee with 10 years of Company experience has been provided training, that he failed to follow procedures and falsified records and that the termination was for just cause.

This case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

3/10/09

Date



Bob Choate, Secretary
Review Committee

3/10/09

Date