

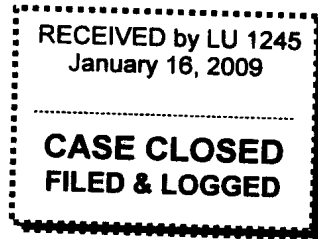


REVIEW COMMITTEE



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

- JOHN A. MOFFAT, CHAIRMAN
- DECISION
 - LETTER DECISION
 - PRE-REVIEW REFERRAL



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. 18557 Energy Delivery – Electric T&D Vallejo

Carol Quinney
Company Member
Local Investigating Committee

Joe Osterlund
Union Member
Local Investigating Committee

Subject of the Grievance

The Company issued a DML to Electric Crew Foreman with 24 years of service for misconduct.

Facts of the Case

The Grievant urinated in the yard. There were restroom facilities available as well as a porta-toilet. He could have gone to the restroom or used a porta-toilet. In addition, as the Grievant indicated he was aware he had this medical condition, so he could have at least requested a 'brief relief' package supplied by the Company to keep in his truck for emergency. Using the 'brief relief' in the confines of his vehicle is definitely not the same as going publicly like he chose to do.

Discussion

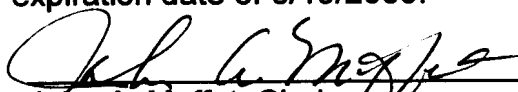
There is no dispute that Grievant urinated outside his Company vehicle at the Vallejo yard. Union members contend the Grievant has a medical condition which requires the individual to immediately relieve himself or endure severe pain. Grievant subsequently furnished Company with documentation of a urinary disorder from his medical provider. Company opined the inappropriateness of urinating on Company property. The Grievant drove into the Vallejo headquarters and could not contain himself and immediately relieved his bladder, once he parked his Company vehicle. Toilet facilities are readily

available at the Vallejo yard. As the Grievant drove into the yard, he passed a porta-toilet. The Company also provides field employees with 'brief relief' which is a product available when a restroom facility is not. Public urination is illegal. Company provides field employees with a relief tool and portable facilities at job sites. At the time of incident, Grievant was on Written Reminder for misconduct.

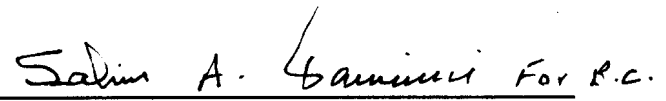
In P-RC 537, meter reader was given 5 days off without pay as disciplinary action for urinating in customer's yard. *"The parties concluded that the Grievant did exercise poor judgment and deserving of disciplinary action."*

Decision

The parties agree that the employee exercised poor judgment and had other alternatives. This case is closed by reducing the discipline to a written reminder in conduct with an expiration date of 8/19/2009.



John A. Moffat, Chairman
Review Committee



Bob Choate, Secretary
Review Committee

1/14/2009
Date

01-14-2009
Date