



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(415) 973-6725

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

RECEIVED by LU 1245
July 17, 2009

CASE CLOSED
FILED & LOGGED

JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 18617 Customer Care – Gas Service - Concord

Bryan Kauffman
Company Member
Local investigating Committee

Lula Washington
Union Member
Local Investigating Committee

Subject of the Grievance:

The Company issued a Written Reminder to a Gas Serviceman for using a cellular phone while driving without using a hands free device.

Facts of the Case:

A third party called to report a PG&E employee was driving a Company vehicle and using a cellular phone without a hands free device, driving erratically, and looking at a computer screen while driving. The supervisor spoke with the employee about the incident and he admitted to using the phone without the hands free device and looking at the FAS screen while driving a Company vehicle, but denied that he was driving erratically. The reasons given for not using the hands free device is that the device flops around when turning your head. In this incident the reason he did not use the hands free device was because he was upset about forgetting a tool at home and was using his personal cell phone.

The grievant understood that he was to use a hands free device as required by the Company.

The grievant had no active discipline on record.


Discussion

The Union argued that the discipline is too severe based on the employees time, his work record and the severity of the infraction. The Union argued no one was hurt and it was a minor infraction and the employee was honest about the incident.

The Company argued that the employee violated the law and a well-known and established Company Policy regarding the appropriate use of cellular phone while driving a company vehicle. A Bluetooth headset has been provided to employees for this purpose to allow employees to operate company vehicles safely and stay within the law. The Company also indicated that the grievant could have pulled over and parked his vehicle instead of continued to drive while making his call. The grievant was honest in admitting what he did and does have a good work record.

Decision

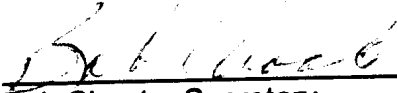
Based on the fact that the grievant violated a well known Company policy and the State Law on cell phone use while driving a Company vehicle, this case the case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

7/9/09

Date



Bob Choate, Secretary
Review Committee

7/9/09

Date