



REVIEW COMMITTEE

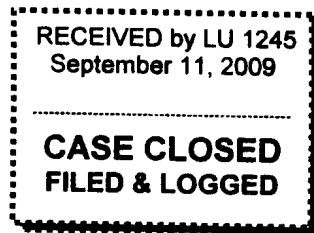


PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W.
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VACAVILLE, CALIFORNIA 94696
(707) 452-2700

JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

Pre-Review Committee No. 18746 Energy Delivery – Support Services – Richmond

Joe Cerruti
Company Member
Local investigating Committee

Lula Washington
Union Member
Local Investigating Committee

Subject of the Grievance:

Termination of an Operating Clerk for inappropriate behavior, insubordination and conduct.

Facts of the Case:

On November 6, 2008 the grievant was terminated for inappropriate behavior, insubordination and conduct. The grievant had 28 years of service.

On July 21, 2008, the grievant had returned to work and was assigned to perform operating clerical work related to service planning work and street lights. September 2008 the supervisor began performance discussions with the grievant due to her poor performance.

October 8th the grievant was told to attend a meeting following a safety celebration. She showed up 10 minutes late and was disruptive in the meeting and would not listen. She was told several times by the supervisor to stop being disruptive but refused.

On October 18th the grievant's street light work was reviewed and was unsatisfactory. On October 21st the same issues was present. The supervisor continued to monitor the grievant's performance on street lights.

On October 22, 2008, the supervisor met with the grievant to discuss her behavior, conduct and work performance. The outcome of this disciplinary meeting was to issue an Oral Reminder in both conduct and Work Performance. During this meeting the grievant became very aggressive and argumentative and disruptive. The supervisor recommended that EAP was available to her. The grievant then stated that she was not going to any "f..... EAP". The shop Steward made an effort to calm the grievant down but to no avail. The grievant asked to be excused and told the supervisor to "fire" her. The grievant left work and was off October 23 and 24.

On October 27 the grievant returned to work and a meeting was set up with her supervisor along with a shop steward and Service Planning Supervisor. The grievant was offered a "pink slip" to complete because she complained of job stress. The grievant refused to complete the form. During the meeting the Company told the grievant that she was being sent for a "fitness for duty". The grievant upon hearing she was being sent for a "fitness for duty" she called her supervisor a "f..... liar". The supervisor told the

grievant to stop but the grievant continued calling the her a "f..... liar", "f..... w.... and also a "f..... b.....". The grievant went on to say that "God is going to kill you". She also blurted out that "cameras were watching her and her husband having sex". Employees in the area were concern about their safety to due the outburst.

Corporate Security was called and heard some of the above outburst and arrived at the headquarters within 45 minutes. The grievant was told by Corporate Security Representative to take her personal belongings and leave the Company property and leave immediately. The grievant then told the representative that "I am not leaving the property, you white m..... f..... and don't touch me." The grievant then proceeded to pick up the computer monitor and keyboard and slammed them down on the desk. At this point the police were called. After about ten minutes before the police arrived the grievant was walked to her car by the Corporate Security representative. As they walked to the car the grievant continued to call the representative a "white m..... f....." The grievant sat in her car for another ten minutes during which time the police arrived. She was informed by the officer if she returned she would be arrested for trespassing.

The grievant denied any performance problem, calling anyone names; that she was being harassed, did not use profanity. Subsequent to the discharge and the LIC the grievant sought professional help and is now under the care of a psychiatrist and is receiving State Disability. She has also expressed remorse for her actions on October 27 and asked the Union to confer her apology to the Company

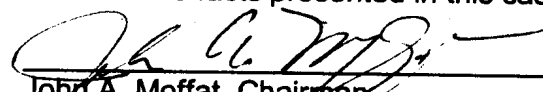
Discussion

The Union argued that the grievant is a long service employee who simply lost control of her emotions. The Union does not believe that the discharge is appropriate and if anything the grievant should be placed on long term disability (LTD). The grievant has sought professional care and is currently on State disability.

The Company argues that the grievant's discharged is based on multiple incidents of her outbursts. She was insubordinate, threatening and used profanity and racial slurs. Her behavior clearly warranted discharge. In regard to the assertion that she should be placed on LTD, the Company position is that eligibility for LTD is not a proper subject for the grievance procedure.

Decision:


Based on the facts presented in this case the case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

9/4/2009

Date



Bob Choate, Secretary
Review Committee

9/4/09

Date