

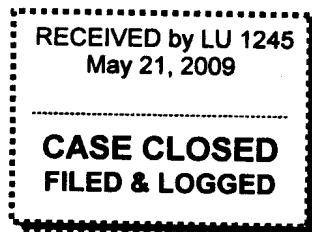


## REVIEW COMMITTEE



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

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 94696  
(707) 452-2700

BOB CHOATE, SECRETARY

### Pre-Review Committee No. 18780 Energy Delivery – GC Gas San Francisco

Durla Kelleher  
Company Member  
Local Investigating Committee

Landis Marttila  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns a DML given to an MEO for Work Performance that resulted in a Company vehicle striking a third party vehicle.

#### Facts of the Case

The grievant is a Miscellaneous Equipment Operator hired on October 21, 1996.

On October 28, 2008 the grievant was attempting to change lanes and struck a third party vehicle. The third party vehicle according to the testimony was in the driver's blind spot. The parties exchanged information and it was too dark to take picture of the accident damage. The grievant did not fill out the required information packet which is in vehicle. The grievant said he panicked and was too nervous. The grievant did not contact his supervisor until after he left the scene of the accident.

The grievant admitted that he knew the process and should have followed the reporting requirements to protect the Company's interest.

Damage to the third party was \$1757.70.

#### Discussion

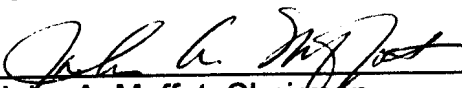
There is no dispute that the grievant while attempting to change lanes struck a third party vehicle.

Company argued that the grievant made an unsafe lane change which resulted in safety violations and damage to a third party vehicle. The grievant was on active discipline, Oral Reminder for a previous accident. The discipline is further supported by the fact that the grievant failed to properly report the accident.

Union argued that the discipline was too severe. Due to the location and the height and size of the vehicle the grievant did not see the third party vehicle when attempting a lane change. The Union further argued that discipline was not properly applied by jumping to a DML in this case.

Decision

The parties agree that in this case that the DML will be reduced to two Written Reminders one in Conduct for failure to properly report the accident and one in Work Performance for the accident. This case is closed without further adjustment.

  
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John A. Moffat, Chairman  
Review Committee

5/20/09  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Bob Choate, Secretary  
Review Committee

5/20/09  
\_\_\_\_\_  
Date