



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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March 17, 2010

**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
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JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

Pre-Review Committee No. 19005 Energy Delivery – Electric T&D – Concord

Bryan Kauffman
Company Member
Local Investigating Committee

Lula Washington
Union Member
Local Investigating Committee

Subject of the Grievance

Decision Making Leave (DML) was issued to a Troubleman for a serious violation of a safety rule.

Facts of the Case

The Grievant has been a Troubleman for two years and has 26 years of service. He was not on any active discipline at the time of the incident.

The Grievant was working outside of his headquarters to assist a neighboring division. The Grievant responded to a D, O.'s call of a line down. The Grievant went to the Line reclosure and the circuit was verified open. He then proceeded to the location where the line was down. He observed a number of people standing around a 17kv primary line that was down on a lawn, adjacent to a crane and lying over a roof.

The Grievant instructed the public to move away and he was going to cut and open the jumpers. The Grievant went for his cutters but they were broken. He then decided to use 30 inch parrot beak cutters. The Grievant put on his rubber gloves, tested line dead, went up in his bucket and then cut the jumpers. The Grievant felt that the public was in eminent danger which was his primary concern at the time and believed he was operating within the standards.

As the Grievant was performing this work a GC Supervisor came across the scene and told the Grievant what he just did was unsafe and told the Grievant that he was reporting the incident to his supervisor.

The Grievant told his supervisor that he felt that the public was in danger and that the technique he used was the best choice given the circumstances. He knows now that the

best thing to do is to stand down, control the crowd and ask for assistance. The Grievant's supervisor stated that the Grievant is a very good, safe and conscientious employee.

Discussion

The Union believes that the discipline is too severe. The Grievant is a long service employee with no prior discipline and an excellent safety record. The Grievant used the tools he had available to him and made what he thought was the right decision. Additionally, the Union is of the opinion that the GC supervisor observed the Grievant cut the line with the improper tool and did not stop him.

The Company argued that the Grievant took a short cut. There were alternatives, he should have called for assistance and controlled the by-standers. As in P-RC 2224 there are some situations that are so serious that a more severe discipline is warranted. Recently, there have been several high profile safety rule violations that have resulted in serious injuries because the employees did not follow safety procedures.

Decision

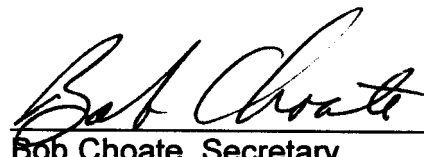
Since the PRC could not agree to a resolution based on their positions and that the DML timed out the parties agreed to close this case is closed without adjustment and without prejudice to either party.



John A. Moffat, Chairman
Review Committee

3/16/10

Date



Bob Choate, Secretary
Review Committee

3/16/10

Date