



REVIEW COMMITTEE



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INTERNATIONAL BROTHERHOOD OF
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JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

RECEIVED by LU 1245
February 19, 2010

**CASE CLOSED
FILED & LOGGED**

BOB CHOATE, SECRETARY

Pre-Review Committee No. 19214 Energy Delivery – Electric T&D – San Francisco

Durla Kelleher
Company Member
Local Investigating Committee

Landis Martilla
Union Member
Local Investigating Committee

Subject of the Grievance:

The grievant was issued a DML for failure to follow work procedures.

Facts of the Case:

The grievant has eight years of service and has been a journeyman Cable Splicer for three years and had no active discipline.

The grievant was performing work on a Schrader valve installation and pressure testing. The grievant was tail boarded by his supervisor on the scope of the work, PPE required, signage required, etc.

The crew consisted of the grievant, another journeyman, T&D Assistant and an Apprentice Cable Splicer. The Apprentice and the T&D Assistant did the testing and the Schrader valve installation.

The grievant testified that he decided to operate the ground switch to the network transformer without notifying his Foreman or the Clearance Holder. The grievant put the ground switch into the ground position and put a blank man on line tag on the switch handle. The grievant stated that the ground switch is usually in the open position when this type of work is being performed. The grievant testified that he was familiar with the standards and that he forgot to go down and return the ground switch to the open position when the job was completed. The grievant testified that his job was to identify the unit for the crew, make sure the vault was safe to enter, and to explain the job to the crew.

The grievant moved on to the next job. He did not tell anyone about the status of the ground switch nor did any one working in the vault advised him that the switch was still in the grounded position. The grievant testified that this was a huge mistake. He also did not notify his foreman that he put the ground switch in the ground position and he did not report to the clearance holder that the ground switch had been operated.

The grievant thought what he was doing was making the job safer for other to perform their work but he failed to return the switch to the operating position. The grievant further testified that he normally does not put the ground switch in the closed position when doing this type of work.

The supervisor testified that a crew member can change the scope of work if necessary but you have to let the clearance holder know of the change. Before reporting off of work you have to visually confirm that the switch is back in the operating position. When this circuit was re-energized, it resulted in an explosion, equipment damage and potential harm to the public. The damage to the equipment put the system at greater reliability risk.

Fortunately there was no injury to the public or to other employees and did not result in an outage.

Discussion:

There is no dispute that the grievant made error. The Union argued that the discipline is too severe based on the treatment of other employees who have made switching errors. The grievant's motivation was to make the work safer.


The Company argued that the grievant made more than just a switching error that he failed to follow procedures that would have protected him, other employees, the public and the equipment. It was just luck that there were not injuries and more damage. The grievant took it upon himself to change the scope of the job and then he did not report to the clearance holder of this action. He then failed to put the ground switch back in to operations. This is an issue of the grievant's failure to following procedures which are in place to protect the public, employees and our equipment. The Company has gone to great length to stress the fact the procedures are in place for everyone's safety.

Most of the discussion focused on the positive Discipline System and the fact the grievant had no active discipline on file at the time the DML was issued. The parties discussed PR-C 2224 and the fact that there have been a number of high profile incidents where procedures were not followed and discipline has been escalated.

Decision:

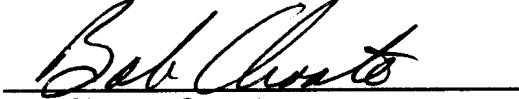
The parties agree that based on the severity of this incident by the grievant changing the scope of the job without permission or notifying the Foreman and the Clearance holder, the damage to company equipment and putting the circuit at risk. The discipline is for just and sufficient cause.

This case is closed without adjustment.



John A. Moffat, Chairman
Review Committee
2/11/2010

Date



Bob Choate, Secretary
Review Committee
2/11/2010

Date