



REVIEW COMMITTEE

IBEW



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

RECEIVED by LU 1245
May 18, 2011

**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
(707) 452-2700

FE (Ed) Dwyer Jr., SECRETARY

Pre-Review Committee No. 19963 Energy Delivery – Electric T&D - Placerville

Jeff Neeley
Company Member
Local Investigating Committee

Darryl Norris
Union Member
Local Investigating Committee

Subject of the Grievance

The case concerns a Decision Making Leave (DML) issued for a backing accident to a Lineman currently on an active Written Reminder.

Facts of the Case

The grievant is a Lineman on an active written reminder in work performance was issued a DML on January 10, 2010. The grievant has approximately 14 years of Company Service.

The grievant backed a material handler truck near the work location. It required backing up approximately 200 feet up an "S" shaped driveway. The Electric Crew Foreman (ECF) was assisting backing the grievant, the spotter. The right front fender of the vehicle struck a streetlight pole causing moderate damage to the vehicle.

The grievant said he never saw the pole. The crew had been working in the area and they had driven by the pole several times.

The ECF took full responsibility for the accident and was also disciplined for the incident. The grievant stated he did not do a walk around but did have a discussion with the ECF prior to moving the vehicle.

Discussion


The Union argued that the accident was the spotter's responsibility and not the grievant's responsibility. The spotter in this case took full responsibility for the accident. The driver of

the vehicle was dependent on the directions provide by the spotter and that no discipline should have been administered to the grievant.

The Company argued that the grievant was issued the appropriate level of discipline since the grievant was on an active Written Reminder. It is the driver's responsibility to determine that there is no person or object in the pathway of the vehicle. The grievant in this case struck a clearly visible object. The Company disagrees with the Union's assertion that a spotter releases the grievant of any responsibility in the accident.

Decision

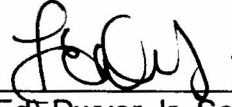
The DML in this case is now moot and the case is considered closed without prejudice to either parties' position.



John A. Moffat, Chairman
Review Committee

5/16/2011

Date



F.E. (Ed) Dwyer Jr, Secretary
Review Committee

5/16/2011

Date