



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(650) 598-7567

RECEIVED by LU 1245
November 22, 2013

**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

DOUG VEADER, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

Pre-Review Committee Numbers 20479 Energy Supply – Nuclear – DCPD

Micah Van Bogelen
Company Member
Local Investigating Committee

Mark Taylor
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the suspension without pay, of a Diablo Canyon Power Plant (DCPP) employee, when his Unescorted Access Authorizations (UAA) was suspended following an off-duty arrest.

Facts of the Case

Nuclear Regulatory Commission (NRC) regulations require nuclear power facilities to implement screening programs to ensure the reliability of those who are granted UAA. In compliance with this requirement, the Company established access policy requirements (SP 432), which include specific DCPD access eligibility criteria. SP 432 has been reviewed and approved by the NRC. The grievant is in a classification required to maintain unescorted clearance in order to perform his job duties.

The grievant was arrested for Felony Domestic Violence. The incident did not occur during the grievant's scheduled hours of work or on Company property. The DCPD Access Authorization Department was notified of the arrest, reviewed the arrest paperwork, and suspended the grievant's access. Two weeks following the suspension, the charges were dropped and the grievant's UAA was restored. The grievant used his paid vacation to cover the suspension.

Discussion

At the time of the grievant's suspension, SP 432 was designated as a safeguarded document, which precluded the Company from providing the document to the Union. Recently, the document's safeguarded designation was rescinded, allowing the Company to provide the document to the Union.

The Pre-Review Committee reviewed SP 432 and the reason for the suspension of the grievant's UAA. The grievant's arrest met the criteria for automatic suspension of UAA. The Committee also noted that there is no provision in the Labor Agreement which provides for these suspensions to be with pay.

Decision

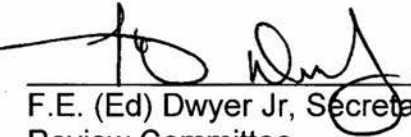
The Committee agrees the suspension of the grievant was in accordance with SP 432 and was not a violation of the Labor Agreement. This case is closed without adjustment.



Doug Veader, Chairman
Review Committee

11/20/13

Date



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

11/20/2013

Date