



## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
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ROBIN WIX, CHAIRMAN  
 DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

F.E. (ED) DWYER, JR., SECRETARY

### Pre-Review Committee Number 22619 Shared Services – Transportation– Auburn

Jeff Neeley  
Company Member  
Local Investigating Committee

Kyle Whitman  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the termination of an Equipment Mechanic for falsifying vehicle maintenance records, disposing of company assets without permission, and utilizing company assets for personal gain.

#### Facts of the Case

The grievant was an Equipment Mechanic with 22 years of service. The grievant had no active discipline at the time of his termination on May 19, 2014.

The Transportation supervisor conducted an informal walk-around at the Auburn garage and noted that the grievant had approximately 12 parts, including an unused truck bumper and cylinder still in the packaging crate, lying around his work area. The supervisor instructed the Garage Subforeman to send the grievant an email requesting a plan of action for these parts.

The truck bumper (\$1,684) and cylinder (\$351) were found in the recycling dumpster six days later. Review of the grievant's work orders revealed he had documented that he installed the bumper on a vehicle in September 2012, and had installed the cylinder on a second vehicle in October 2012. Another work order was closed out by the grievant indicating that he completed preventive maintenance on a vehicle in March 2014, however the vehicle was being operated in the field during the timeframe the grievant documented he completed the required maintenance. A follow-up inspection of the vehicle showed that the maintenance had not been completed as documented by the grievant. Additionally, transportation records and a discussion with a contracted tire vendor led to the conclusion that the grievant allegedly purchased four Kelly Safari tires (\$836.29) through PG&E and installed them on his personal vehicle, later removing them and returning them for a purchase credit with Auburn Tire Service.

Discussion

The Union argued that the grievant disposed of the bumper and cylinder per direction from his Garage Subforeman to "install/return/or dispose" of the parts as outlined in an email communication to the grievant. The Union also argued that the grievant closed out the work orders without completing the work due to pressure from management to timely close work orders within 15 days. Per the grievant's statements during the Local Investigating Committee meeting, he was unable to complete the required work within the 15 day timeframe due to scheduling conflicts. In an effort to be in compliance with direction given by management, the grievant closed the orders as completed with the intention of completing the work at a later time. The Union further argued that there is no proof beyond the vendor's statement that the grievant installed Company purchased tires on his personal vehicle.

The Company argued that the termination was for just cause. The grievant arbitrarily disposed of expensive vehicle parts that he had documented as being installed on Company vehicles 18 months prior. The grievant clearly had other options to "dispose" of the parts, including sending them to the Davis garage, returning them to the vendor for credit, or sending them to auction. Furthermore, the grievant falsified company maintenance records when he closed out the work orders indicating the work was completed. His alleged intention to complete the work at a later time is not compelling as the parts were well over a year and a half old at the time the grievant disposed of them, and the preventive maintenance on the third vehicle had never been completed. The Company has no reason to doubt the vendor's statements in regards to observing the Kelly Safari tires on the grievant's personal vehicle.

Decision

After due consideration of the facts the Committee agrees that the termination was for just cause and this case is considered closed.

Robin Wix                      4/20/15  
Robin Wix, Chairman                      Date  
Review Committee

F.E. (Ed) Dwyer, Jr.                      4/20/15  
F.E. (Ed) Dwyer, Jr., Secretary                      Date  
Review Committee