



## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
375 N. WIGET LANE, SUITE 130  
WALNUT CREEK, CA 94598  
(530) 246-6430

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 2547  
VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

- ROBIN WIX, CHAIRMAN  
 DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

### **Pre-Review Committee Number 23095 Customer Care – Field Meter Operations – Monterey**

Jodi Baxter  
Company Member  
Local Investigating Committee

Casey Salkauskas  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the discharge of a Senior Meter Reader for instructing Hiring Hall Meter Readers to falsify timecards and for misappropriation of gift cards.

#### Facts of the Case

The grievant was a Senior Meter Reader with 32 years of service and no active discipline at the time of his discharge. The grievant had been upgraded to a meter reading supervisor since 2007. He supervised approximately 25 meter readers and 1 clerk across several headquarters.

The grievant purchased various Reward and Recognition gift cards to be distributed to his team members during 2014. Two Hiring Hall (HH) Meter Readers were taxed for gift cards they never received from the grievant between July and August 2014. The first HH employee's taxed gift cards totaled \$200 and the second HH employee's taxed gift cards totaled \$100. When the two HH employees questioned the grievant about the taxed gift cards that they had not received, the grievant had no explanation as to why they didn't receive the gift cards and instructed the first HH employee to change his timecard from reflecting 8 hours of unpaid vacation time to 8 hours worked, which resulted in a total payment of \$350.88 to the employee. He instructed the second HH employee to change his timecard from 8 hours of unpaid sick time to 3 hours worked and 5 hours unpaid sick time, which resulted in a total payment of \$131.58 to the employee.

During the investigation, it was determined that other employees were also taxed for gift cards they had not received from the grievant. Some employees, when they noticed they were taxed for gift cards not received, had confronted the grievant and were given the gift cards at that time. Others never confronted the grievant regarding the missing gift cards in fear of retaliation. Additionally, the investigation determined that the grievant could not account for multiple gift cards totaling over \$700. The grievant stated that some of the gift cards must have been stolen, others were misplaced, and he gave some to unidentified homeless people.

Discussion

The Union argued that the grievant was a long service employee with an outstanding work record whom the Company trusted enough to place in a long-term management supervisory position with responsibility for over 25 employees across several headquarters. The grievant did not intend to defraud the Company, but was only attempting to correct an error. The grievant claimed he was concerned about the employees being taxed for money they had inadvertently not received and therefore attempted to correct the situation within his authority as an upgraded management supervisor. While the Union agrees the grievant used bad judgment when attempting to fix the error, it does not warrant termination of a long service and otherwise good employee.

The Company argued that the grievant purposefully instructed employees subordinate to him to falsify company records by changing their timecards to reflect that they worked when they did not, which also resulted in further cost to the Company. Falsification of company records is a serious violation of the Employee Code of Conduct and in direct opposition to the Company's core values. Furthermore, the grievant was unable to account for \$700 worth of company purchased gift cards for which he stated were either stolen by employees through the Company mail, stolen by his clerk, or misplaced. Additionally, he stated he gave some gift cards to non-PG&E persons, which is in of itself a misappropriation of Company assets. The Company argued that the grievant's conduct was serious enough to warrant discharge.

Decision

The Committee agreed the discharge was for just cause. This case is closed without adjustment.

Robin Wix                      12-10-15  
Robin Wix, Chairman                      Date  
Review Committee

Kit Stice                      12-10-15  
Kit Stice, Secretary                      Date  
Review Committee