

REVIEW COMMITTEE DECISION

Review Committee File No. 416
San Francisco Division Grievance No. 63-1

Subject of the Grievance

The grievance concerns a two-day disciplinary layoff without pay given to four Servicemen of the San Francisco Division Gas Department. The record submitted to the Review Committee indicates that these employees were observed drinking coffee in a coffee shop at 17th and Treat Street at about 4:15 p.m. on December 21, 1962. The facts further evidence that the coffee shop was not located in the areas serviced by the employees. After confronting the employees, the Division imposed a two-day layoff without pay as a disciplinary measure.

The correction asked for by the grievants is that they be reimbursed for wages lost during the two-day layoff.

Discussion

At the outset it should be noted that the San Francisco Division Gas Department developed a department rule that Servicemen are not permitted to leave their area for the purpose of taking coffee together. In the Joint Statement of Facts submitted by the Division Local Investigating Committee, it is noted that in a past infraction of this rule a disciplinary layoff of two days was imposed. It is further noted by the Gas Department Supervisors that the above rule had been discussed with all Servicemen prior to the imposition of this penalty. None of the employees involved in this grievance denied knowledge of the rule.

Decision

In this case, where the employees were aware of the rule and that discipline could follow from an infraction of the rule, the Review Committee is not in a position to lessen the penalty imposed or mitigate the offense when the employees cause an infraction of the rule. It is, therefore, the opinion of the Review Committee that the correction sought by the grievants must be denied.

FOR UNION:

R. W. Fields
W. M. Fleming
L. L. Mitchell

By L. L. Mitchell

Date Aug 24, 1963

FOR COMPANY:

E. F. Sibley
C. L. Yager
L. V. Brown

By L. V. Brown

Date August 22, 1963