

REVIEW COMMITTEE DECISION

Review Committee File No. 1349-74-18
San Joaquin Division Grievance Nos. 25-73-10 and 25-73-11

Subject of the Grievance

The case involves a one-day disciplinary layoff of an Electric T&D crew for playing cards during working hours.

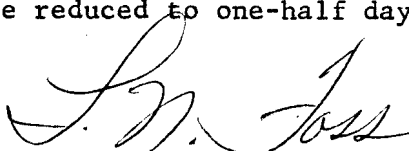
The crew consisted of a Line Subforeman, an Unassigned Lineman, an Apprentice Lineman and a T&D Driver. The T&D Driver was working on the job-site when the other three arrived sometime in the early afternoon. At approximately 3:30 p.m., they decided to play cards for 15 to 20 minutes. The card playing incident became known to the supervisor as a result of the Sheriff's Department unrelated investigation near the job-site on the day in question. The record indicated no previous record of disciplinary action for any of the grievants.

Discussion

The Review Committee is in agreement that card playing during working hours is improper and is a proper basis for some form of disciplinary action. Therefore, the issue before the Review Committee is one of whether a one-day disciplinary layoff for each was proper. Generally, the Review Committee does not substitute its judgment for Management's where the punishment is reasonably related to the offenses. For the crewmen, under these facts, the one-day disciplinary layoff may not necessarily have been viewed as "unreasonably related" to their misconduct if the crew supervisor had been treated differently. In regard to the Line Subforeman, it is his responsibility to properly supervise the activities of his crew, and his culpability here demonstrates a lack of supervisory ability on his part, for which something more than a day's layoff may have been appropriate.

Decision

As a remedy in this case, the one-day disciplinary layoff of the crewmen will be reduced to one-half day each.



L. N. Foss
For the Union



L. V. Brown, Jr.
For the Company

November 1, 1974

Date

November 1, 1974

Date

PG and E

FOR INTRA - COMPANY USES

DIVISION OR DEPARTMENT INDUSTRIAL RELATIONS
FILE NO. 741.5
RE LETTER OF
SUBJECT Review Committee File No. 1349
San Joaquin Division Grievance Nos. LIC 25-73-10 & 11
Disciplinary Action for Playing Cards

November 1, 1974

MR. R. J. STEELE, Company Member
San Joaquin Division
Local Investigating Committee

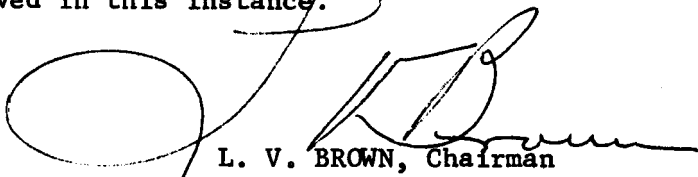
MR. R. VAN DYKE, Union Member
San Joaquin Division
Local Investigating Committee

We are enclosing a signed Review Committee Decision modifying the disciplinary action in the above-subject Review Committee case.

Although the Decision is hopefully clear, we might add that the reason for changing the disciplinary penalty with regard to the crewmen is simply that the Crew Subforeman has a greater responsibility with regard to the activities of those people on his crew; and, therefore, the penalty levied should have been greater for the Subforeman than the crew members.

A serious relevant consideration in this case does not directly concern the issue before the Review Committee. That was the concern of the crew members that they felt that the supervision had treated them as though they were guilty of the alleged theft of a weapon although none of the crew had been officially charged or found guilty of the allegations.

It is the general policy of the Company that in such instances employees are to be considered innocent until such time as the complainant comes forward with sufficient proof to reasonably establish the guilt of those involved or, in certain cases, the facts warrant taking some action. Whether true or not, from what followed with regard to charges or allegations of criminal involvement during work hours, the crew members felt that this practice was not followed in this instance.


L. V. BROWN, Chairman
Review Committee

DJBergman:rto

cc: EEFoley
IWBonbright
JAFairchild
PMatthew
Personnel Managers
LNFoss, IBEW