

REVIEW COMMITTEE**PG and E**

PACIFIC GAS AND ELECTRIC COMPANY
 245 MARKET STREET, ROOM 444
 SAN FRANCISCO, CALIFORNIA 94106
 (415) 781-4211, EXTENSION 1125

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Subject of the Grievance

This case concerns the discharge of a General Construction Working Foreman B for possession; offering and furnishing illegal drugs to his crew during work hours.

Facts of the Case

On September 13, 1985, the Security Department installed a video surveillance camera in the hygiene facility of Unit 11 at the Geysers. On September 14, 1985, the video camera recorded the grievant entering the facility twice with two different crew members; his giving each of them a dispenser which they put to their noses and then returned to him. When interviewed by Security, the grievant admitted to giving cocaine to one employee and marijuana to the other. The other two crew members positively identified the grievant and themselves in the video. They both indicated they had received illegal drugs from the grievant on other occasions while at work. One of the crew members stated that on at least one occasion outside of work the grievant gave him "crank". The other Helper stated he observed the grievant using cocaine while at work. At the time the grievant was interviewed by Security on September 19, 1985, he had in his possession a loaded cocaine dispenser and marijuana cigarettes. The grievant had 21 years of service and no prior discipline.

Discussion

The parties noted that there is no evidence or allegation of drug sale in this case. The grievant was discharged for violation of Standard Practice 735.6-1 and the Company Drug Prevention Policy Statement specifically, Item 1 which reads in part:

"Employees must not possess, use, furnish, sell or offer illegal drugs or other controlled substances...while on the job or on Company premises. Proof that an employee furnished, sold, or offered illegal drugs or controlled substances while on the job or on Company premises will result in termination of employment..."

This Policy Statement in its entirety was mailed to all employees' homes in March 1985. Prior to distribution, discussion took place between Company and Union concerning the contents of the Policy. Union agreed to the final form and content. It was understood that termination would be the penalty levied for furnishing, selling or offering illegal drugs or controlled substances during working hours or at job sites without giving consideration to

IBEW 

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 ELECTRICAL WORKERS, AFL-CIO
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 (415) 933-6060
 R.W. STALCUP, SECRETARY

APR 10 1986

**CASE CLOSED
 LOGGED AND FILED****RECEIVED MAR 28 1986**

General Construction Grievance No. 3-1462-85-96
 Review Committee File No. 1631-86-2

mitigating factors such as long and/or good service.

The grievant was in receipt of the Policy, acknowledged having previously read it, and was aware of the consequences of his actions. He had also attended a training program to explain the Policy.

Decision

The parties agree that the discharge of the grievant was for just and sufficient cause.

This case is closed.

FOR COMPANY:

Norman L. Bryan
Floyd C. Buchholz
Robert C. Taylor
David J. Bergman

By



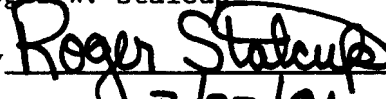
Date

3-27-86

FOR UNION:

Patrick S. Nickeson
Fred H. Pedersen
Arlis Watson
Roger W. Stalcup

By



Date

3/27/86