

101.11(P) Pay for time
6.11(C) off when empl
is sued by
PG&E.



REVIEW COMMITTEE



NOV - 9 1989

PACIFIC GAS AND ELECTRIC COMPANY
215 MARKET STREET, ROOM 916
SAN FRANCISCO, CALIFORNIA 94106
(415) 973-1125

**CASE CLOSED
LOGGED AND FILED**

RECEIVED OCT 12 1989

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Steam Generation Grievance Nos. GEO-24-35-87-80 & GEO-24-35-87-80
De Sabla Division Grievance No. 10-87-7
Review Committee File No. 1675-88-17
Ad Hoc Case No. 89-1

October 4, 1989

MARK K. RICHARDS, Company Member
Steam Generation
Local Investigating Committee

BOB CHOATE, Union Member
Steam Generation
Local Investigating Committee

BILL LEVINS, Company Member
De Sabla Division
Local Investigating Committee

ART MURRAY, Union Member
De Sabla Division
Local Investigating Committee

The above referenced case concerns the Company's right to discipline employees for misconduct and at the same time deduct wages from the employee to compensate for loss or damages resulting from the conduct. The case was referred to Ad Hoc Negotiations as Ad Hoc Committee Case No. 89-1 and settled by Letter Agreement 89-107-PGE. In accordance with the letter agreement, Review Committee Case No. 1675 is closed without adjustment.

DAVID J. BERGMAN, Chairman
Review Committee

ROGER W. STALCUP, Secretary
Review Committee

RRDoering(223-1124):mc

cc: Richard B. Bradford
Barbara Elsberg
Paul E. Pettigrew

Attach.

PACIFIC GAS AND ELECTRIC COMPANY

PG&E + 215 MARKET STREET • SAN FRANCISCO, CALIFORNIA 94106 • (415) 972-7000 • TWX 910-372-6587

August 10, 1989

Local Union 1245
 International Brotherhood of
 Electrical Workers, AFL-CIO
 P. O. Box 4790
 Walnut Creek, CA 94596

Attention: Mr. J. K. McNally, Business Manager

Gentlemen:

Pursuant to Step Five of Title 102 of the Physical Agreement, Review Committee Case No. 1675 was referred to Ad Hoc Negotiations by letter dated December 6, 1988. The unresolved issue concerns the Company's right to discipline employees for misconduct and at the same time deduct wages from the employee to compensate for loss or damages resulting from the conduct. The case has been assigned Ad Hoc No. 89-1.

An Ad Hoc Committee, consisting of Darrell Mitchell of your staff and D. J. Bergman of this office met on March 15, 1989 to review the issues involved and agreed to the following:

- o The parties recognize that the Company has the right to pursue recovery from an employee for loss or damage as a result of alleged dishonesty, willful or gross negligent acts. Additionally, pursuant to the provisions of the Physical and Clerical Agreements, the Company may invoke the provisions of Positive Discipline and the employee may appeal such action through the negotiated grievance procedures.
- o In the event the Company elects to pursue recovery from an employee and it is later determined at a legal proceeding that the Company is not entitled to any recovery, the Company shall reimburse the employee for any straight time wage loss he/she may have incurred as a result of that proceeding.

The Ad Hoc Committee is in agreement that the issues contained in Review Committee Case No. 1675 are settled without adjustment, and the case is considered closed.

If you are in accord with the foregoing and agree thereto, please so indicate in the space provided below and return one executed copy of this letter to the Company.

Yours very truly,

PACIFIC GAS AND ELECTRIC COMPANY

By Richard B. Buegel
 Manager of Industrial Relations

The Union is in accord with the foregoing and it agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
 BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

By Jack McKinley
 Business Manager

Sept 26, 1989