



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
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**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
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SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Review Committee No. 13788
Customer Services – Field Services & Dispatch – Gas Service
Gilroy

Voncille Williams
Company Member
Local Investigating Committee

Bill Brill
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of a long service Gas Service Representative for tag falsification.

Facts of the Case

On April 4, 2002 the grievant received a Decision Making Leave day off for multiple tag falsifications. The grievant mistimed several tags and entered false remarks on others, specifically entered CGI (can't get in) on several tags at the end of his shift. The DML was not grieved.

In early June while signing time cards, a temporarily upgraded supervisor noticed a tag the grievant turned in as a CGI with 20 minutes on-site. The tag also said the meter did not match up with the meter number. The temporary supervisor brought it to the attention of the regular supervisor. The regular supervisor asked the temporary supervisor to conduct a daily audit of the CGI tags for all the GSR's.

The temporary supervisor went to the site and easily located the address, as it was the only house on the odd side of the street on that block. He verified that the address and meter number on the grievant's service order were the same as he observed during his investigation. The temporary supervisor researched the account on-line and found the grievant had been to this same account in March for a gas and electric shut-off. On March 13, the grievant indicated on the tag that he shut-off the electric meter and delayed the gas shut-off (RGSO).

The grievant then went to the same location on July 2, 2002 due to a broken lock field order investigation when a young man showed him a current paid bill. The grievant stated he contacted Dispatch to verify that there was an incorrect meter number, and then completed the order indicating that the address does not match-up with meters. A subsequent check of the grievant's cell phone records indicated he did not call Dispatch nor did he verify the meters at this location or he would have found the bill presented by the customer was for another account. Leaving the electric meter in service on the initial call on March 13, 2002 allowed several months of unbilled usage from a customer who moved in without establishing service in her name, even though the grievant indicated that he had locked the electric meter. The old customer had closed service so there was no customer of record at that address.

On July 9, the grievant CGI'd an electric shut-off/broken lock tag. He indicated on the tag that it was a locked building with the meters inside and no access. The two supervisors went to the account and observed the electric meter clearly visible and easily accessible. The meter was located on the outside of the building.

On July 10, the grievant had an electric lock for non-payment tag. He indicated on the tag he completed the shut-off and left a notice. The supervisors found only the main circuit breaker in the off position with a yellow Murray seal hanging open from one side of the breaker. The seal was new and had never been closed or engaged. GSR's are required to retrieve and discard any seals that are broken or cut-off at a meter location. The grievant indicated he performed a "soft lock" which is just turning off the breaker and that this is common practice in Gilroy. When questioned, he agreed he had never been informed by management that this, "soft lock", was an acceptable practice. Employees are to follow the UO Standards & CSS Procedures for Discontinuing Electric Service.

At another account on July 10, the grievant indicated he completed an electric shut-off. The supervisors found this account to be in service with a heavy operating load, and no signs that the meter had ever been locked. The grievant stated he called Dispatch and was told this account was on a Continuous Service Agreement (CSA) meaning that it could not be shut-off. Dispatch verified for the supervisor that there was no CSA for this account.

At the LIC, the grievant shared a large stack of detailed daily log sheets with information about various accounts that was never entered into FAS or other Company records.

Discussion

The Union argued that the grievant did not intentionally falsify the tags and that his length of service should mitigate the discharge.

Company stated the grievant was placed on a DML in April and within two months, he was again indicating untrue information on his tags. Subsequent to the DML there were four accounts where false information was shown on the tags. Failure on the part of the grievant to perform his duties in a satisfactory manner created additional work in both the office and the field, as well as lost revenue.

This case has been discussed at length at each step of the grievance procedure. The Review Committee noted that there is a long history of disciplining or discharging GSR's for tag falsification – both the timing of tags and the noting of work performed. The grievant's length of service was a consideration when he was given a DML.

As for the grievant's intentions, Company need not establish the motivation for the grievant's action, Company only needs to establish that he did not perform the duties he reported he performed or that there was meter access, when he stated on the tags there wasn't.

Decision

The Review Committee is in agreement that the discharge was for just and sufficient cause. This case is closed without adjustment and the closure should be so noted by the LIC.

For the Company:

Margaret A. Short
Ernie Boutte
Dave Morris
Malia Wolf

For the Union:

Sam Tamimi
William R. Bouzek
Ed Dwyer
Sherrick A. Slattery

By: Margaret Short

Date: 4/11/03

By: Sam A. Tamimi

Date: 4-11-03