



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
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(925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

RECEIVED by LU 1245
January 27, 2004

**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700
SALIM A. TAMIMI, SECRETARY

Review Committee No. 14472 OM&C – Electric T&D - Bakersfield

Jeff Neeley
Company Member
Local Investigating Committee

Ed Dwyer
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of a Troubleman for shutting off customer accounts without authorization.

Facts of the Case

The grievant was assigned to work in Arvin. On May 20, 2003 at approximately 10:20 a.m. he received a traffic citation for failure to wear his seatbelt. He was on duty and in a Company vehicle.

At about 11:30 a.m. the grievant called the Service Operator and asked to have five shut-off for non-payment tags, which had been removed earlier in the day from his FAS mobile data terminal, restored. These tags were for the City of Arvin. The Troubleman then proceeded to turn off service to four parks. The fifth tag was for the Veteran's Center and the meter was behind a locked door. The Troubleman contacted the Meter Reader for that area to have him bring a key to gain access to the meter. Once the Troubleman gained access, he decided not to turn the service off due to concerns about computers he observed. As a result of the grievant's actions, a Little League baseball game had to be cancelled and the concession stand lost all its ice cream.

About 1:30 p.m., the Troubleman went to see the Police Chief and then to City Hall to demand to have the citation rescinded because he believed he was "exempt" as a PG&E employee. The citation was not rescinded.

An article in the local newspaper recounted the day's events citing a PG&E employee as being responsible.

Discussion

Union argued at each step of the grievance procedure that discharge was too severe for such a long service (36 years) employee with no active discipline.

Company responded that the grievant's conduct was egregious and totally unacceptable. Starting with not wearing his seatbelt and from that point on, the grievant only compounded his misconduct. Had the grievant accepted the citation and done nothing further, he would have been disciplined for failure to wear his seat belt, but would not have been discharged given his disciplinary record at the time.

His actions damaged Company's image and resulted in a claim that was paid. The grievant's behavior was totally self-serving and detrimental to Company's customers. At the point he went to the Police Chief and the City Hall, he'd already disconnected service but failed to tell them so, even when informed that payment arrangements had already been made with the local office.

Decision

The Review Committee is in agreement that this discharge was for just and sufficient cause. This case is closed without adjustment.

For the Company:

Margaret A. Short
Ernie Boutte
Dave Morris
Malia Wolf

For the Union:

Sam Tamimi
William R. Bouzek
Louis Mennel
Sherrick A. Slattery

By: Margaret Short

Date: 1/27/04

By: Sam A. Tamimi

Date: 1-27-04