



REVIEW COMMITTEE

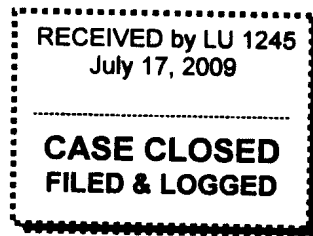


PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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SAN FRANCISCO, CA 94177
(415) 973-6725

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

JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

Review Committee Nos. 17776 & 18007 Customer Care – Meter Reading - Templeton

Melanie Curry
Company Member
Local investigating Committee

Mike Haentjens
Union Member
Local Investigating Committee

Grievance Issue:

The grievance concerns the DML and termination of a Meter Reader for an automotive accident and failure to report the accident and a subsequent positive DOT random drug test.

Facts of the Case:

The grievant, a Meter Reader, was hired on January 5, 2004 and was issued a DML on August 22, 2007 and terminated on December 19, 2007.

The grievant's supervisor was notified by another employee that the truck the grievant had been driving had been damaged and the accident not reported. The supervisor followed up with the Senior Meter Reader who confirmed that the vehicle had been damaged. The Supervisor then initiated an investigation into the accident.

The grievant admitted that he had backed through a gate and misjudged the distance striking the left side of the truck into a pole. The grievant went on vacation did not report the accident because he didn't think it was that big a deal. The grievant stated the reason he struck the pole was because he was trying to avoid a dog.

The truck was scheduled to be replaced. The Supervisor testified that the Company generally would repair the truck then send it to auction.

During the month of October 2007 the grievant went through a random drug screening. The first week of November the grievant was notified by the MRO and they told him his test was positive. The grievant went through rehab successfully and returned to work on December 12, 2007. Upon his return to work the grievant was terminated.

Discussion

DML:

The Company argued that the backing accident alone represents a Written and given the fact that the employee had no intention of reporting the accident the elevation to a DML is appropriate. This is one event and it seems inappropriate to discipline the employee in two categories given these facts.

The Union argued that the discipline should be in two different categories and at best the level the employee should be at is an oral and a written.

Termination:

The Company argued that the termination was appropriate given the grievant was on a DML and then had a positive drug test result. Even had the Company reduced the DML to a Written Reminder as demanded by the Union discharge would still be appropriate given the grievant's short service.

The Union argued that the previous discipline was too severe and the discharge should also be reduced.

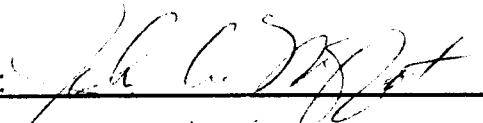
Decision

The grievant with less than four years of service has violated a number of rules, backing accident, failure to report the accident and a positive drug test all within a short period of time provides just cause for the termination.

The parties agree that the termination was for just and sufficient cause and this case is closed without adjustment.

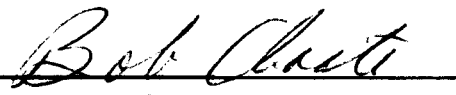
For the Company:

John Moffat
Gayle Hamilton
Dave Morris
Malia Wolf

By: 
Date: 3/10/09

For the Union:

Bob Choate
William R. Bouzek
Lou Mennel
Russ Rylee
Karen Russel

By: 
Date: 3/10/09