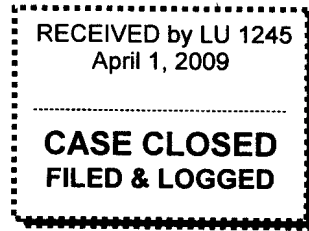




## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
MAIL CODE N2Z  
P.O. BOX 770000  
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

BOB CHOATE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

### Review Committee No. 18528 Energy Delivery – Electric T&D - Salinas

Melanie Curry  
Company Member  
Local investigating Committee

Bill Brill  
Union Member  
Local Investigating Committee

#### Grievance Issue:

This grievance concerns the termination of a Troublemaker for a violation of USP 1.

#### Facts of the Case:

The Grievant was hired on July 3, 1972 and was terminated on July 25, 2008.

The Grievant was terminated for violation of USP 1. The Grievant had no active discipline at the time of the discharge.

The Grievant was arrested on May 11, 2008 for driving under the influence of alcohol. At the time of the arrest the Grievant was working overtime. The Grievant admitted to purchasing and drinking alcohol while on shift. The Grievant's blood alcohol was .25 or three times the legal limit.

The Grievant subsequent to the arrest and prior to the completion of the investigation entered into a 28 day residential recovery program. The Grievant completed the program and continues to participate in an aftercare program.

#### Discussion:

The Company argued based on the facts in this case that the employee clearly violated USP 1 and put himself, the Company and the public at great risk, with a blood alcohol level of three times the legal limit. The alcohol policy was updated in 2006 and employees were put on notice that they could be terminated. The discharge was for just cause.

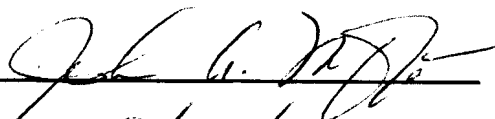
The Union argued that discipline is appropriate in this case but not discharge given his many years of service, the Grievant's completion of a recovery program and that the Company has not always discharged for use of alcohol on the job. The Union further argued that many times the Company has allowed employees to return after completion of a rehabilitation program.

Decision:

The parties agree that the termination was for just and sufficient cause and this case is closed. The parties also agree that the employee is not eligible for rehire but he may work for contractors that may perform work on Company facilities.


**For the Company:**

John Moffat  
Gayle Hamilton  
Dave Morris  
Malia Wolf

By:   
Date: 3/31/09

**For the Union:**

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

By:   
Date: 3/31/09