



## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
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INTERNATIONAL BROTHERHOOD OF  
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LOCAL UNION 1245, I.B.E.W.  
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VACAVILLE, CALIFORNIA 94696  
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JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL

### **Review Committee No. 19424 Energy Delivery – Electric T&D – Santa Rosa**

Deanna Helm  
Company Member  
Local Investigating Committee

Joe Osterlund  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

The Company discharged a Lineman on a temporary upgrade to an Electric Crew Leader, with an active Written Reminder, for work procedure errors.

#### Facts of the Case

The Grievant is a Lineman, who at the time of the incident was upgraded to an Electric Crew Leader. The Grievant has 32 years of service and was on an active Written Reminder in Work Performance. The Grievant was terminated on July 24, 2009.

The triggering incident was when the Grievant's crew removed an energized underground elbow from a pad mounted transformer. This action caused an arc that went to the ground on the case of the transformer, de-energizing 90 additional customers and relaying the circuit back to the next device. There were no injuries.

The crew was pre-arranged for work at 3:00 a.m. to change out six elbows on a pad mounted transformer. The Grievant however was not pre-arranged for the job because he was on a rest period during the regular work and had not seen his E-Page. At 3:45 a.m. he was contacted and reported for work. The Grievant had about 4-5 hours of sleep at the time he was called. If the Grievant choose not to respond the company would have called another Crew Leader from the list.

The Grievant arrived at the jobsite at 4:10 a.m. He gave his crew a tailboard and went over safety equipment and clearance points.

At the transformer which was open the Grievant gave the okay to test and ground. He told the crew that "these are the cables that are going to our work location." The Grievant told the lineman to "test these dead", these were the wrong cables. The cables had been incorrectly

marked. The lineman did not see the switch number associated with the cables nor did he catch that switch 3844, which he knew was one of the clearance points, was aligned with the cables on the other side.

Discussion

The positions of the parties have not changed from the LIC report. The Union opined that given the Grievant's 32 years of service where he had worked safely and was a well respected Lineman that he should not have been terminated for making an honest mistake. He properly tailboarded the crew and ensured that they were wearing PPE and using the proper tools. He made a mistake when he referred to a miss tagged cable instead of referring to the switch number and for that was terminated.

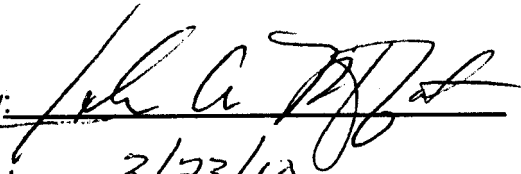
The Company maintained the position that since the Grievant was on an active Written Reminder in Work Performance for another safety error that caused damage to a company truck and could have resulted in serious injury, the termination based on this incident is for just cause. The Grievant made a critical error, ignoring all of the indicators of which cables should be worked on: the open switch with the appropriate switch number; the man on line tag; the exposed capacitance test points and; information provided by the Troublemaker. He then instructed his crew to test the cables on the other side of the transformer to replace the elbow, which was energized. This error could have resulted in serious injury or death.

Decision

Based on the discussion and previous decisions the parties agree to return the Grievant on a DML without back pay and to close this case without further adjustment and without prejudice.

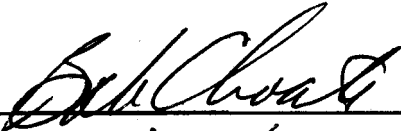
**For the Company:**

John Moffat  
Gayle Hamilton  
Dave Morris  
Mike Savage

By:   
Date: 3/23/10

**For the Union:**

Bob Choate  
William R. Bouzek  
Louis Mennel  
Karen Russel

By:   
Date: 3/23/10