



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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RECEIVED by LU 1245  
October 18, 2011

**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

DOUG VEADER, CHAIRMAN  
 DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

BOB CHOATE, SECRETARY

### Review Committee No. 20205 Electric Operations – Work & Resource - Fresno

Monica Oakes  
Company Member  
Local Investigating Committee

Mike Grill  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the discharge of a Work and Resource Coordinator (WRC) for an avoidable motor vehicle incident which occurred while on a Decision Making Leave (DML).

#### Facts of the Case

The grievant was a Work and Resources Coordinator with seven years of service at the time of discharge. His active disciplinary record consisted of a Written Reminder, DML, and a coaching and counseling. He was discharged as a result of a motor vehicle incident which occurred on February 26, 2010.

The grievant was traveling eastbound on Elkhorn Avenue and was preparing to turn left onto a dirt road. A third party vehicle was traveling westbound when the grievant turned into the path of the approaching vehicle. The third party swerved in an effort to avoid the grievant's vehicle. The two vehicles collided with the third party vehicle becoming airborne, crossing an irrigation ditch, clipping a utility pole, and coming to rest in an orchard. There was some damage to the Company vehicle and significant damage to the third party vehicle.

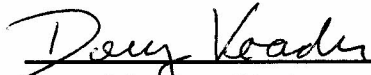
The grievant indicated that he saw the approaching vehicle, but believed he had enough time to make the turn. He indicated that he was stunned that the vehicle had reached his location so fast. According to the police report, the grievant was at fault for the accident and there was no indication of excessive speed by the third party.

**Discussion**

The Committee agreed that the facts of this case support the police investigation conclusion that the grievant was at fault for the accident. The accident was avoidable and very serious with significant consequences to the third party. The Committee also noted that the grievant was on a DML (the final step of Positive Discipline) at the time of the vehicle incident.

**Decision**

The Committee agrees the discharge was for just cause and closes this case without adjustment.

  
\_\_\_\_\_  
Doug Veader, Chairman  
Review Committee

10/13/11  
Date

  
\_\_\_\_\_  
Bob Choate., Secretary  
Review Committee

10-13-11  
Date