



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W.
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RECEIVED by LU 1245
February 17, 2012

**CASE CLOSED
FILED & LOGGED**

- DOUG VEADER, CHAIRMAN
- DECISION
 - LETTER DECISION
 - PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

Review Committee No. 20268 Electric Operations – GC Line - Fresno

Monica Oakes
Company Member
Local Investigating Committee

Mark Rolow
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of General Construction Lineman for work performance and safety infractions.

Facts of the Case

The grievant was a General Construction Lineman with four years of service. At the time of his discharge, his active disciplinary record consisted of a Decision Making Leave (DML) and a coaching and counseling.

The first incidents occurred on April 14, 2010 when a supervisor performed a field visit. He observed the grievant working on a pole wearing incorrect personal protective equipment (short mechanic style gloves). While at the same site, the supervisor observed a pole which the crew had not properly grounded.

The second incidents occurred on April 29, 2010 when the Sub-foreman reported that the grievant grounded an energized jumper. Additionally, the grievant had not loaded many of the proper tools to perform their assigned work, including a hand-line, load break tool, voltage tester, and his personal climbing hooks. This resulted in sending the helicopter back to pick up additional tools. The lack of a working voltage tester resulted in the crew needing to use buzz testing.

The grievant stated that the Sub-foreman was out to get him and denied making contact with the energized jumper. He acknowledged climbing the pole with the wrong gloves, but that he meant to borrow a pair and just forgot. He also acknowledged conducting a buzz test and using bracket grounding instead of EPZ, but that he was instructed to do so by his Sub-foreman.

Discussion

The Union argued that the grievant was in a very difficult situation. He advised his Sub-foreman that EPZ grounding was needed, but was instructed to proceed without it. Given his active DML, he felt he needed to follow instructions. In regard to loading the tools, the Sub-foreman should have provided better oversight and used it as a learning opportunity. Finally, the use of the wrong gloves is a minor infraction.

The Company opined that given the severity of the violations, the active disciplinary record, and short service, the grievant's termination was clearly warranted. The grievant acknowledged that he should have worn the proper gloves when climbing the pole and that EPZ grounding should have been used. He offers no explanation for failing to loading the proper tools, including his own personal tools.

Decision

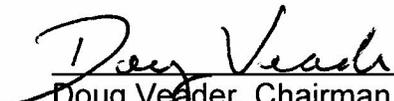
The Committee agrees the discharge was for just cause and closes this case without adjustment.

For the Company:

Doug Veader
Laura Sellheim
Ruben Ramirez
Mike Savage

For the Union:

F.E. (Ed) Dwyer Jr.
James Brager
Michael Scafani
Karen Russel



Doug Veader, Chairman
Review Committee

2/3/12

Date



F.E. (Ed) Dwyer Jr, Secretary
Review Committee

2/3/2012

Date