

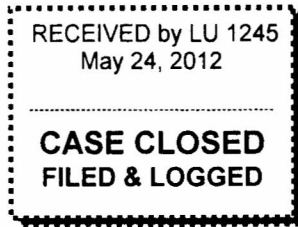


REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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(530) 613-3203

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

F. E. (ED) DWYER Jr, SECRETARY

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Review Committee No. 20762 Gas Operations - Gas Service - Antioch

Brenda Legge
Company Member
Local investigating Committee

Lou Mennel
Union Member
Local Investigating Committee

Subject of the Grievance

This grievance concerns the termination of a Gas Service Representative for timecard falsification.

Facts of the Case

The grievant was a Gas Service Representative with 25 years of service at the time of termination. His active disciplinary record consisted of four coaching and counselings.

As a result of the supervisor's concern that the grievant appeared to be stretching overtime assignments to earn a rest period, an audit of his emergency overtime records was conducted. The Company's investigation determined that there were 12 instances, over a six month period, where the grievant allegedly added time to the beginning or end of overtime assignments. The additional overtime charges were in increments of 15-30 minutes and combined for a total of five to six hours of additional overtime pay.

The grievant stated that he recorded his time correctly. In regard to the discrepancies between the actual call out times and his recorded start times, the grievant stated that a former supervisor had instructed employees to record their time this way. She told them to start the time at the half hour mark in the employee's favor to make it easier for Payroll and as an incentive for employees to sign the 212 list. He identified a co-worker who would remember these instructions.

The Review Committee instructed a sub-committee of the LIC to reconvene and ask the former supervisor and co-worker their recollections regarding the rounding instructions. Both individuals confirmed that the supervisor's instructions were to round to the nearest quarter hour as required in the Labor Agreement. She did not tell the work group to round at the half hour mark in the employee's favor.

Discussion

The Union argued that the grievant provided explanations for the differences between his time card entries and the call-out log provided by the W&R Dispatch group. The grievant also provided explanations for each of the end of the day discrepancies and says he was following his former supervisor's rounding instructions. There are many factors that FAS does not indicate such as time for the system to boot up and work time after an employee logs off. The Union further opines that the Field Automation System (FAS) times are not an accurate depiction of actual time worked.

The Company responded that the evidence clearly shows that the grievant was adding time to the beginning and end of his overtime assignments. The grievant did not satisfactorily account for the discrepancies between his log off times and the times he recorded on his time card. Additionally, he admits to adding time on call-outs in excess of what he was contractually entitled to. His claim that a prior supervisor instructed him in this method is not credible and was contradicted by the supervisor and co-worker.

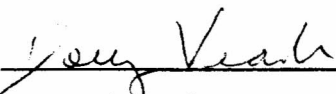
The Committee found that the time recorded by the grievant was advanced at the beginning of several callout periods.

Decision

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

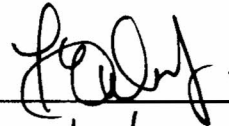
For the Company:

Doug Veader
Laura Sellheim
Ruben Ramirez
Mike Savage

By: 
Date: 5/24/12

For the Union:

F.E. (Ed) Dwyer Jr.
Mike Scafani
Jim Brager
Karen Russel

By: 
Date: 5/24/2012