

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
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D.J. BERGMAN, CHAIRMAN

IBEW



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
L.N. FOSS, SECRETARY

DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

General Construction Grievance No. 3-189-77-60
P-RC 312
Discharge of Street Fitter

June 27, 1977

MR. J. A. CATES, Company Member
General Construction
Local Investigating Committee

MR. R. STALCUP, Union Member
General Construction
Local Investigating Committee

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned, pursuant to Section 1B(2) of the Review Committee procedure, to the Joint Grievance Committee for settlement in accordance with the following:

The case concerns the discharge of the grievant, a Street Fitter, for abuse of funeral leave. The grievant was granted permission to be off, with pay, on Monday, October 4, 1976, with understanding he would attend the funeral of his mother-in-law. It came to supervision's attention sometime in November that the grievant's mother-in-law was not deceased, and when confronted, the grievant changed his timecard to show attendance at his father-in-law's funeral. This later was also found to be untrue, and upon further investigation, it was determined that in May, 1976, the grievant was off, with pay, to attend a funeral for an "aunt," which was untrue. Supervision's position is that the grievant intentionally, on more than one occasion, falsified time reports for the purpose of obtaining wages for time off to which he was not entitled. The Union's position is one of agreeing that the grievant's actions were improper, although, in their opinion, discharge is too severe a punishment. However, the grievant, by design, abused the provisions established for funeral leave even to the point of compounding the violation by continuing to claim funeral leave after the fabrications had been discovered. Further, the record is void of mitigating factors and the Pre-Review Committee can only conclude that the grievant must be held accountable for his actions. The Labor Agreement in this instance does not provide for the handling of abuse or how to treat reoccurring offenses, thus, the case must be decided entirely within the framework of Title 7 of the Agreement.

In view of the evidence in the case, the Pre-Review Committee is of the opinion that the discharge was for just cause. This case is considered closed on the basis of the foregoing, and the closure should be so noted by the Local Investigating Committee.

D. J. BERGMAN, Chairman
Review Committee

L. N. FOSS, Secretary
Review Committee

DJB:rto

cc: CHSedam
IWBonbright
LVBrown
Personnel Managers