

**REVIEW COMMITTEE****PG and E**

PACIFIC GAS AND ELECTRIC COMPANY  
 245 MARKET STREET, ROOM 444  
 SAN FRANCISCO, CALIFORNIA 94106  
 (415) 781-4211, EXTENSION 1125

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. 3-175-77-46  
 P-RC 322  
 Discharge of Apprentice Electrician

May 27, 1980

MR. R. S. BAIN, Chairman  
 General Construction  
 Joint Grievance Committee

Statement of the Case

The grievance, which was filed February 14, 1977, concerns the discharge of an Apprentice Electrician on January 21, 1977. The reason given for the discharge was that the grievant was not physically qualified to perform the duties of his classification.

In this regard, the revised Statement of Fact furnished by the Department Joint Grievance Committee indicates that the grievant had suffered two convulsive seizures during the course of his employment; one on October 6, 1976, and a second on December 3, 1976. Fortunately, neither seizure resulted in serious injury to the grievant or any other person. There was, however, damage to Company property associated with the October 6, 1976, seizure.

Discussion

The Department's Joint Grievance Committee has furnished the Review Committee with the medical evaluation of Dr. William S. Bagnall dated December 6. He states that the grievant had a convulsive episode which, in the opinion of Dr. Bagnall, could be controlled "if he (the grievant) continues to take his medication." The latter points up the concern in this case. Apparently, on two situations, he had not followed his prescribed medical advice. Thus, while it might be hoped that the grievant would be more diligent in the future, there, of course, is no guarantee or any practical way that the Company can assure itself that he will do so.

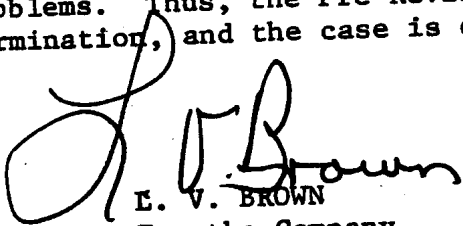
The grievant was employed in an occupation that carries with it a risk that might be incurred should the grievant again neglect his medical program. Owing to the nature of work performed by General Construction physical forces, much the same

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conclusion would hold true for other occupations. Thus, the grievant's potential for placement in a position other than as an Electrician would be limited at best.

Decision

The record before the Pre-Review Committee provides no insight as to what kind of work the Company might have assigned the grievant to accommodate his physical problems. Thus, the Pre-Review Committee is not in a position to rescind the termination, and the case is closed without adjustment.



L. V. BROWN  
For the Company



L. N. FOSS  
For the Union

LVB:ml

cc: GSBates  
MEBadella  
LCBeanland  
IWBonbright  
FCBuchholz  
JACates/DKLee  
RHCunningham  
NRFarley  
CAMiller  
JBStoutamore  
WKSnyder  
CPTaylor  
Division Personnel Managers