

REVIEW COMMITTEE



PG and E

PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
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L.N. FOSS, SECRETARY

May 29, 1980

D.J. BERGMAN, CHAIRMAN

General Construction Grievance Nos.
3-499-78-150 and 3-529-79-18
P-RC 489
Discharge of Helper

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

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

Statement of the Case

The grievant, a Helper in Station Construction Department, was terminated January 17, 1979. Sometime before that, he had been notified that he was being transferred from Moss Landing to the Hunters Point Power Plant. He was to report on November 3 and was allowed to leave the job early on November 2 so that he could take his allowed travel time to Hunters Point.

On November 3, the grievant was arrested on several charges, and in the course of the arrest, apparently injured one of his wrists. Because of this, he was off work from November 3, 1978, until January 16, 1979, when a Company panel physician released him to full work duty. In the interim, however, the grievant had responded to the arrest charges in the Municipal Court of California, County of Monterey, Salinas Judicial District. As a result, the Court ordered his incarceration on January 8. At the time of his medical release, he had not served out the sentence imposed by the Court, although in its Order, the Court indicated that he would be admitted to a work furlough program.


The correction sought by the Union is reinstatement with retroactivity.

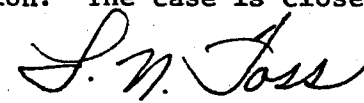
Discussion

During the time this case was being processed by the Local Investigating Committee, the grievant had served out his time on the original charge and was again arrested on March 27, 1979. The latter charges resulted in the filing of criminal charges in the Municipal Court of California, County of Monterey, Castroville Judicial District. These charges alleged grand theft. The case had been heard by the Court, and the employee was sentenced to 180 days in the County Jail.

Decision

While the case presents other questions relative to the Company's not granting a work furlough program, the issue of reinstatement is moot in the light of the grievant's latest conviction and incarceration. The case is closed without adjustment.


L. V. BROWN, For the Company


L. N. FOSS, For the Union

LVB:rt0
cc: GSBates
LCBeanland
DKLee