

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

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

CASE CLOSED MAY 27 1981
LOGGED AND FILED

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
 R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED MAY 27 1981

DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

General Construction Grievance No. 3-901-81-5
 P-RC 640

May 26, 1981

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

Statement of the Case

This case concerns the discharge of a Lead Partsman at the Davis Service Center. The employee was hired on October 14, 1974 as a Routine Parts Clerk and progressed from that position to Partsman and then Parts Leadman. The discharge occurred on January 8, 1981 for unauthorized possession of Company property.

Discussion

The Pre-Review Committee members have determined from the record that the grievant was in possession of three Company wrenches having a new value of \$10 - \$15. The record does not establish that he was authorized to have the wrenches in his possession. Notwithstanding this, the Pre-Review Committee is of the opinion that, while discipline was proper in this instance, discharge was too severe. The reasons for this statement are as follows:

When confronted by a Security Department representative, the grievant readily acknowledged that he had the three wrenches at his home. He permitted the security representative to search his premises for other Company property. While he had in his possession other material used by the Company, it could not be established that he obtained them from the Company as opposed to an outside source. The reason given by the grievant for his possession of the Company marked wrenches was not contradicted.

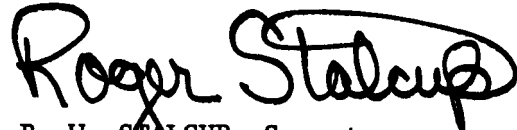
Decision

In the light of the foregoing, the Pre-Review Committee will not sustain the discharge. However, the Pre-Review Committee calls to the attention of the grievant, as well as all other employees, that violations of the Standard Practice and particularly the possession of Company property for the employee's personal use without authorization are severe offenses. For that reason, the grievant will be reinstated with backpay and restoration of all service and benefit entitlements except for (1) 30 calendar days immediately following his discharge and (2) after deducting all other earnings during the period between February 7 and the date of his reinstatement. Furthermore, if within one year of his reinstatement the grievant violates the provisions of Standard

Practice 735.6-1 as it relates to theft or unauthorized possession of Company property, the employee's recourse to the grievance procedures shall be limited to testing the alleged facts but not as to the penalty imposed if the allegations prove true.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

DJB:ml

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