

**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**  
**LOGGED AND FILED**

MAR 27 1985

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 MAR 27 1985

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Stockton Division Grievance No. 16-365-84-49  
P-RC 1002

March 25, 1985

MR. R. M. EDWARDS, Company Member  
Stockton Division  
Local Investigating Committee

MR. M. HARRINGTON, Union Member  
Stockton Division  
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 Step Five A(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This grievance concerns the discharge of a Lineman for violating Employee Conduct Standard Practice 735.6-1. On one occasion, the grievant directed other Company employees to assist him in removing two large concrete supports for fence posts from his property and haul them to the service center where they were later disposed of at Company expense. Later, the grievant directed two Linemen to assist him in erecting a 30-foot Company-owned power pole on his property. The grievant admitted to the foregoing misappropriation of Company property, equipment and manpower. The discharge of the grievant was based upon these most recent incidents as well as his cumulative disciplinary record.

Background

The Committee reviewed the grievant's employment and disciplinary history. The grievant was hired on October 14, 1963. In February of 1983, the grievant had received a one-day disciplinary layoff and disciplinary letter stemming from an incident when, in an apparent act of anger, he dropped a hot stick from the top of a pole. Then in the summer of 1983, the grievant took a green jibb off the line truck which was in the garage for repairs and placed it on his own truck. Prior to the loner truck being returned, the employee took the jibb and stored it in the warehouse. The jibb was reported as stolen, and the Subforeman who was responsible for the jibb was orally reprimanded for its loss. The grievant was disciplined for a violation of Standard Practice 735.6-1.

Later in 1983, the grievant removed a vice from a line truck and put it into his own truck. The vice was reported as stolen, and also on this occasion, the Subforeman responsible for the vice was orally reprimanded by his supervisor for its loss. Then in September 1983, the grievant was instructed to take a Lodi crew to Manteca to assist during a storm. Enroute to Manteca, the grievant instructed the driver to take a seven-mile detour to a location where the grievant performed personal business for approximately 40 minutes.

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Then on February 27, 1984, the grievant left a job site at approximately 11:15 in the morning and did not return until 1:00 p.m. in the afternoon. He did not inform his crew as to where he was going or when he would return. During the last two days of February and early March 1984, the grievant was disciplined for five additional separate incidents of irresponsibility while working as a Line Subforeman in charge of a crew. On April 10, 1984 as a result of irresponsible actions, insubordination, unauthorized absences from the work site and misappropriation of Company equipment, the grievant received a five-day disciplinary suspension and was demoted to Lineman. This action was grieved by the Union, and the case was settled without adjustment by the Local Investigating Committee.

Due to the grievant's observed on-the-job erratic behavior and due to complaints from co-workers regarding his unsafe work habits and volatile disposition on the job, the grievant was suspended pending the results of his being examined by a Company panel physician. On April 5, 1984, the Company received from a panel physician's letter indicating that, based upon psychiatric and medical examinations of the grievant, he was currently unfit for duty. Therefore, effective March 15, 1984, the grievant was placed on an indefinite suspension pending the results of an EAP arranged examination to determine his fitness to return to work. From March 15, 1984 until August 13, 1984, the grievant was off work pending the results of the medical psychological evaluation. Effective August 13, 1984, the grievant was transferred to Stockton Service Center. The grievant took vacation from August 13, 1984 until September 3, 1984. The grievant's first workday in Stockton was September 4, 1984. Following the grievant's return, the Security Department investigated the 1983 and 1984 misconduct incidents and interviewed the grievant. Effective September 20, 1984, the grievant was placed on an indefinite suspension pending further investigation of his misconduct. Based upon the results of that investigation, the Company concluded that the employee was guilty of violations of Employee Conduct Standard Practice 735.6-1 and discharged him on October 12, 1984.

#### Discussion and Decision

The Pre-Review Committee reviewed in detail the disciplinary history of the grievant. It was noted that the employee had been counselled and/or disciplined for 12 separate incidents. The Committee also reviewed written statements from the grievant's co-workers which supported the fact that the grievant's behavior was erratic, volatile and inappropriate at work. Based upon the admissions of the grievant with regard to the misappropriation of Company equipment, labor and materials for personal use and due to the fact that the employee had been recently demoted for misusing his authority and abusing his position as a Subforeman, the Committee agreed that the discharge was for just cause.

This case is considered closed, and its closure should be so noted by the Local Investigating Committee.

  
D. J. BERGMAN, Chairman  
Review Committee

  
R. W. STALCUP, Secretary  
Review Committee

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