

REVIEW COMMITTEE

107.3 P

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

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

**CASE CLOSED
LOGGED AND FILED**

RECEIVED DEC 19 1985

Stockton Division Grievance No. 16-382-84-66
P-RC 1020

December 18, 1985

R. MIKE EDWARDS, Company Member
Stockton Division
Local Investigating Committee

MICKEY 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 case concerns Company's refusal to pay for an alleged theft of tools.

Facts of the Case

On December 13, 1984, the grievant reported an alleged theft of some of his personal tools consisting of one pair of aluminum Bashlin Climbers and one pair of Craftsman channel locks. Approximately one week, the grievant left the tools in a locked side bin of a Company pickup truck secured by a No. 2 Company lock. In addition, a Company hammer was missing. The grievant had been assigned the truck for over a month and was aware that other employees used the truck for overtime assignments.

The supervisor and the grievant agreed that there was no evidence of forced entry into the bin of the truck and that other employees had ready access to the key for a No. 2 Company lock.

Discussion

The Committee reviewed Subsection 107.3(b) which states:

"Company shall provide the employee a list of personal tools the employee must provide. (Such lists may be changed only by agreement between Company and Union.) When the employee cannot practicably transport such tools to and from his job headquarters daily, Company shall provide space for the safe storage of such tools. In the event that any of these listed personal tools which have been stored on Company's premises or in a Company vehicle are destroyed or damaged by fire, storm or flood, or are stolen (subject to evidence by the employee

IBEW

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R.W. STALCUP, SECRETARY

of the theft), Company shall reimburse the employee for any such loss which is in excess of any reimbursement for the tools such employee may receive from an insurance carrier. (Amended 1-1-84)"

Decision

The Pre-Review Committee agrees to close this case without adjustment based on the fact that there was no evidence presented of theft. This case is considered closed and should be so noted by the Local Investigating Committee.


DAVID J. BERGMAN, Chairman
Review Committee


ROGER W. STALCUP, Secretary
Review Committee

MAS:ml