

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

PACIFIC GAS AND ELECTRIC COMPANY  
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 SAN FRANCISCO, CALIFORNIA 94106  
 (415) 781-4211, EXTENSION 1125

**CASE CLOSED**  
**LOGGED AND FILED**

FEB 27 1986

INTERNATIONAL BROTHERHOOD OF  
 ELECTRICAL WORKERS, AFL-CIO  
 LOCAL UNION 1245, I.B.E.W.  
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 WALNUT CREEK, CALIFORNIA 94596  
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 R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED FEB 26 1986

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

San Joaquin Division Grievance No. 25-763-85-6  
 P-RC 1025

February 21, 1986

ROBERT J. STEELE, Company Member  
 San Joaquin Valley Region  
 Local Investigating Committee

WAYNE WEAVER, Union Member  
 San Joaquin Valley Region  
 Local Investigating Committee

Subject of the Grievance

This case concerns a ten-day disciplinary layoff given to a Lineman for making indirect threatening remarks about his supervisor.

Facts of the Case

The grievant was employed in 1977. On March 6, 1984, he was given a disciplinary letter for attendance-related problems. This letter required the employee "to provide satisfactory evidence if off for illness." The grievant had no other prior disciplinary history.

On January 9, 1985, the grievant was absent. Upon his return to work on January 10, 1985 without any evidence, the supervisor denied sick leave pay. Following this discussion, the employee left work at approximately 8:30 a.m. because he didn't feel well.

That afternoon, the grievant went to the Regional Personnel Office to allege unfair and discriminatory treatment by his supervisor. In the course of registering these complaints, the grievant repeatedly made threats of violence toward his supervisor.

Later that day, the grievant was informed that he was suspended pending investigation. He returned to work on Friday, January 25, 1985. The suspension was converted to a ten-day disciplinary layoff.

Discussion

The Union cited other cases of employees making threatening remarks to supervisors or other employees, as well as cases involving physical altercations. Given similar backgrounds (i.e., service, disciplinary record), most disciplinary actions ranged from the one to five-day category. One case, in particular, involved another recent case in Selma where the employee received three days off. The Union argued that the grievant's remarks were not made in a confrontation with the supervisor but indirectly.

February 21, 1986

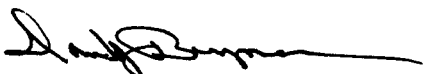
Company argued that the grievant displayed a total disregard for the potential consequences of his threatened actions. As to the Selma case, the discipline of three days was mitigated by inappropriate behavior on the part of the supervisor involved, or the discipline would have been more severe. Because the grievant's behavior was not provoked by the supervisor, the discipline in this case should be more than three days. The Company also stated that it had to conduct an investigation of the charges made by the grievant about the supervisor. These interviews were completed by January 16, 1985.

### Decision

The parties are in agreement that violent or threatening behavior is unacceptable and inappropriate in the workplace and will be dealt with severely. In an effort to resolve this case and address the concerns raised during the discussion section, the ten-day disciplinary layoff is reduced to four. This adjustment is without prejudice.

Sick pay is denied for January 10, 1985 unless the grievant provided some evidence of illness. If some evidence was provided, the supervisor shall determine if it is satisfactory. Jurisdiction for final determination of this issue is retained by the Pre-Review Committee.

This case is considered closed based on the foregoing and the adjustment provided herein. Such closure shall be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

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