

REVIEW COMMITTEE7.1(P)
105.2(P)**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****RECEIVED OCT 16 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

General Construction Grievance No. 3-1404-85-38
P-RC 1041OCT 19 1985
October 15, 1985

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- DECISION
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- LETTER DECISION
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- PRE-REVIEW REFERRAL

MR. R. S. BAIN, Chairman
General Construction
Local Investigating CommitteeMR. BARRY HUMPHREY, Chairman
General Construction
Local Investigating CommitteeIssue

This grievance concerns a letter of reprimand received by a Lineman for his alleged failure to comply with Accident Preventive Rule 812(b).

Facts of the Case

On April 8, 1985, the grievant reported to a new yard and during the workday was approached by his Foreman and told to remove his wedding ring. The grievant stated that he could not remove the ring due to the size of his finger. According to the Foreman, the grievant said that he would remove the ring over the weekend. On April 16, 1985, the grievant was again told to remove his ring. At that time, the grievant did not have his ring removed because the following weekend was his wedding anniversary and he had strong personal feelings about the symbolism of his ring. On April 21, 1985, the grievant was informed that he would not be allowed to work with the ring on his finger, so he cut the ring off with a pair of dikes from his tool box. On April 23, 1985, the grievant received a disciplinary letter for his failure to comply with safety rules.

Discussion

At the time of the incident, the grievant had almost eight years of service and, by his testimony, had never previously been told to remove his wedding ring. The grievant testified that he has never worked in a location where employees must remove their wedding rings and stated that he had asked about wedding rings at safety meetings and was always told that it was the employee's personal decision whether or not to remove a wedding ring.

The Committee noted that a Truck Driver who reported on April 1, 1985, to the same yard as the grievant, was told at the same time as the grievant, to remove his rings. The Truck Driver did not remove his rings until April 21, 1985, the same day as the grievant, but was not disciplined. The Truck Driver told the Local Investigating Committee that in his twenty years with the Company, he had never previously been told to remove his rings. A Foreman also informed the Local Investigating Committee that he has never required employees to remove their rings as he does not believe they are covered in Accident Prevention Rule 812(b) which states:

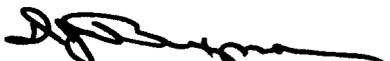
October 15, 1985

"Watch chains, wrist bands, key chains, exposed neck chains, tie chains, and clasps made of metal shall not be worn when working close to exposed energized conductors or equipment."

Decision

In discussion of this case, the Committee noted that there appeared to have been disparate treatment of the grievant and the Truck Driver on the crew, and inconsistent interpretation of Accident Prevention Rule 812(b). The Committee further agreed that it was inappropriate to have disciplined the grievant for failing to comply with an Accident Prevention Rule that does not preclude the wearing of wedding rings. The April 23, 1985, disciplinary letter was issued without just cause and shall be removed from the grievant's file.

Based on the foregoing, this case is closed and such closure should be noted in the minutes of the Joint Grievance Committee.


D. J. BERGMAN, Chairman
Review Committee


R. W. STALCUP, Secretary
Review Committee

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