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**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**

DEC 13 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 DEC 13 1985

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1425-95-59  
P-RC 1045

December 10, 1985

DICK S. BAIN, Chairman  
General Construction  
Joint Grievance Committee

BARRY J. HUMPHREY, Chairman  
General Construction  
Joint Grievance Committee

Grievance Issue

Discharge for continued unavailability.

Facts of the Case

The grievant was a Field Regulator Changer assigned to Stockton Division.

The grievant was verbally counselled concerning his tardiness on March 27 and April 5, 1984. These two incidents of tardiness resulted in a letter of reprimand being issued on April 19, 1984 for tardiness.

On June 6, 1984, the grievant called in at 8:28 a.m. to let his supervisor know that he had overslept and would be late for work. The grievant was issued a disciplinary letter concerning this absence and one day off without pay. This disciplinary action was not grieved.

The April 19, 1984 disciplinary action was grieved. The Local Investigating Committee agreed that the letter of discipline was for just cause and that if the grievant maintained a satisfactory attendance record for one year from the June 6, 1984 disciplinary action, the April 19, 1984 letter of reprimand would be removed.

In 1985, the grievant was off sick.

January 7 and 8  
February 21 and 22  
          25 and 28  
March 1 and 4

In February, the grievant asked the Company for assistance in trying to help him correct his unavailability for work problem. From March 13 to May 7, 1985, the grievant was granted a personal leave of absence in an attempt for him to resolve his problem. It should be noted, from this record, that the grievant was offered Employee Assistance and was given the EAP counselor's phone number.

On May 17, the grievant failed to report for work and explained that his car had broken down. After repair was completed around 3:00 p.m., the grievant failed to return to work or notify the Company of his work situation.

On May 20, the grievant again failed to report for work and failed to notify the Company of his availability. The grievant was given one and one-half day disciplinary time off on May 21 and 22 for the no-call, no show.

On May 28, the grievant failed to show up for work due to an off-the-job injury. On May 29, the grievant was required to attend an IRS interview and failed to provide a documentation that he attended until after the Local Investigating Committee. When the grievant returned to work on May 29, the grievant was issued a disciplinary letter which summarized his past and most recent unavailability. The letter stated, "This 'final-final' letter should be viewed as the 'last and final' step in the disciplinary procedure for continued unavailability, and is given to you in lieu of discharge." If you fail to significantly improve your availability for work, you will be discharged.

The grievant was again reported for work late (3.5 hours) on June 3 and was subsequently discharged on June 5 for continued unavailability.

#### Discussion

The Company opined that the sequence and disciplinary steps followed were appropriate given the grievant's continued unavailability problems. The Union opined that the time frame in administering this discipline was too compressed and did not provide the grievant with an opportunity to improve his availability.

#### Decision

The Committee discussed this case at length and agreed that the termination was appropriate based on progressive discipline.

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



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

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