

**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

D.J. BERGMAN, CHAIRMAN

- ☐ DECISION  
☐ LETTER DECISION  
☐ PRE-REVIEW REFERRAL

**CASE CLOSED**  
**LOGGED AND FILED**  
**RECEIVED MAY 19 1987**

General Construction Grievance No. 3-1544-86-52  
P-RC 1139

May 19, 1987

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

RICHARD S. BAIN, Chairman  
General Construction  
Joint Grievance Committee

BARRY J. HUMPHREY, Chairman  
General Construction  
Joint Grievance Committee

Subject of Grievance

Reprimand letter for verbal abuse directed to a supervisor.

Facts of the Case

The grievant is a Painter A assigned to the Potrero Power Plant. On April 14, 1986, at a tailboard meeting, the grievant's Working Foreman stated that he had noticed that some crew members were taking extended lunches and breaks and the reason they gave upon their return was that they had to use the bathroom. He stated that he felt some of the crew members were abusing this privilege so he told the crew that they would only be allowed to use the restroom during break or lunch time. He explained that the crew was involved in a major overhaul and that he needed maximum productivity from all crew members. He further stated that he prefaced his comments by saying "This won't apply to everyone (restricting bathroom usage to break and lunch), but if the shoe fits, wear it."

The Local Investigating Committee established that suspected abuses cited by the Working Foreman occurred the preceeding Saturday, on an overtime assignment. The Local Investigating Committee also established that the grievant did not work that day.

The grievant said that this bathroom restriction considerably upset him. When the supervisor later approached the grievant, the following exchange occurred:

Supervisor: "How are you guys doing?"  
Grievant: "How does it look like?"  
Supervisor: "How long would it (your work) take?"  
Grievant: "I'll take four months if that's how long it takes."  
Supervisor: "You will not take four months."  
Grievant: "What are you going to do, fire me?" and "Even if you fire me you're going to have to get out of my face."

The grievant admitted to these comments and told the Local Investigating

Committee that in making them, he was loud and aggressive.

Decision

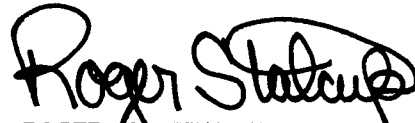
The Committee agrees that the letter of reprimand was given for just and sufficient cause. The Committee also agreed that the letter will be rewritten to delete the adjectives belligerent and disruptive.

The Committee also discussed the appropriateness of the Working Foreman's orders limiting access time to the bathrooms. The Committee agrees that it is inappropriate to limit employees to go to the bathroom only at breaks or lunch. On the other hand, the Committee also agreed that those employees who abuse access time to the bathroom may properly receive discipline.

Based on the foregoing, this case is considered closed as explained above, and such closure should be noted in the Joint Grievance Committee Minutes.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

RDBolf(222-5665):mc