



REVIEW COMMITTEE

7.1 - Just Cause
Discharge: Leaving
job before end of
workday, turning in
false time card.



PACIFIC GAS AND ELECTRIC COMPANY
215 MARKET STREET, ROOM 916
SAN FRANCISCO, CALIFORNIA 94106
(415) 973-1125

FEB 22 1989

**CASE CLOSED
LOGGED AND FILED**

RECEIVED JAN 23 1989

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

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

GENERAL CONSTRUCTION GRIEVANCE 3-1816-88-53
AND 3-1836-88-73
P-RC 1298 AND 1313

January 11, 1989

PHIL G. DAMASK, Chairman
General Construction
Joint Grievance Committee

BARRY HUMPHREY, Chairman
General Construction
Joint Grievance Committee

Grievance Issue

Decision making leave and discharge of Field Garage Mechanic C for falsification of timecards.

Facts of the Case

The grievant's hire date was 2/27/78.

On April 26, 1988, the grievant's supervisor returned to the Fremont garage at 8:45 p.m. and observed that the grievant's company truck was parked and his personal car was gone. The supervisor did not take any action at this time.

On June 1 the grievant's company vehicle was in the Fremont yard at 8:30 p.m. and his personal vehicle was gone. The grievant turned in a timecard for his full shift. Later, the grievant admitted to leaving early on this day.

On June 3 the grievant's company vehicle was in the yard at 9:00 p.m. and the personal vehicle was gone. The grievant turned in a time card for his full shift and even called the supervisor's house at 11:15 p.m. indicating he had worked a full shift. The grievant's shift was 3:00 p.m. to 11:30 p.m. for the above dates.

On June 7, 1988, the grievant's company truck was in the Fremont yard and his personal vehicle gone at 8:05 p.m. The grievant's shift was switched to 4-10's, Tuesday through Friday, 10 a.m. to 8:30 p.m. Again the grievant turned in a timecard for the full shift. Based on these incidents the grievant was issued a Decision Making Leave for time card falsification on June 9, 1988. The grievant informed the supervisor upon his return to work from the DML that it was his desire to continue working for the company and he would work within the Employee Conduct Standard Practice guidelines.

On August 11 the grievant's supervisor drove to the Rossi Street yard in Salinas and observed the grievant's personal vehicle in the yard at 6:35 p.m. At 7:20 p.m. the grievant's personal vehicle was driven out of the yard by the grievant's wife and at 7:24 p.m. the grievant drove his assigned lube truck from the company yard to his motel. The grievant's shift was 10:00 a.m. to 8:30 p.m. The grievant again submitted his timecard indicating he had worked a full shift. The grievant was discharged on August 19, 1988, for employee conduct violations regarding falsification of time records.

Discussion

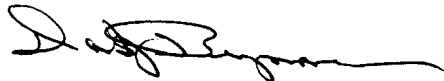
The Union members of the committee opined that the DML was too severe punishment for the initial timecard incidents. However, both parties agreed that there was no dispute as to the facts of the case and further noted that the grievant had admitted to leaving early. The committee further noted in certain positive discipline cases an employee at the DML level could be coached and counselled on the next incident and not be automatically discharged.

In this case, what the committee found particularly disturbing was the number of incidents, the continuing nature of the rule infraction even after admission and his commitment to abide by the rules, and all within a very short time period.

Decision

The committee discussed this case at length. At the conclusion of the discussion the committee agreed that the discharge was appropriate based upon the facts of the case.

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



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee