



REVIEW COMMITTEE

7.1 -Just cause for discipline - safety rule violation

AUG 14 1989



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

**CASE CLOSED
LOGGED AND FILED**

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 AUG 14 1989

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1858-88-95
P-RC 1333

August 9, 1989

BYRON TOMLINSON, Chairman
General Construction
Joint Grievance Committee

BARRY HUMPHREY, Chairman
General Construction
Joint Grievance Committee

Subject of Grievance

A Subforeman "A" in the Station and Hydro Construction Department was issued a Written Reminder for safety violations alledgedly without just cause or sufficient cause.

Facts of the Case

On August 13, 1988, the grievant, a Subforeman "A" with 29 years of service and an exempt Foreman, had a prearranged clearance at Midway Substation to perform work on a capacitor bank. The exempt Foreman walked the crew around the job site, showed them where the grounds were to be placed and explained the clearance procedure.

The exempt Foreman and grievant split the crew into two. The exempt Foreman's crew were to place grounds on the A-C-B phases on the line side of the capacitor bank disconnect and the grievant's crew were to place grounds on A-C-B phases on the buss side of same. The grievant's crew began work on the "B" phase. The grievant observed that "B" phase had been grounded on the line side by the exempt Foreman's crew. The grievant's crew grounded the "C" phase and was in the process of grounding the "A" phase when the exempt Foreman with his crew drove up and said that as soon as the grievant's crew finished grounding they should come to breakfast. Shortly after the exempt Foreman and crew left, the grievant's crew continued to dismantle the "B" phase and then started working on the "C" phase without verifying that the "C" phase was grounded on the line side of the capacitor bank disconnect. The grievant's crew then pulled the drops apart on the "C" phase when a "bang" occurred and the Station Mechanic in the bucket told the grievant he had been shocked. The grievant found that "C" phase on the line side had not yet been grounded by the other crew.

Discussion

In this case, the Union argued that a Written Reminder was too severe based on the nature of the incident, the grievant's years of service, and his unblemished record. Further, they argued that the discipline should not be the same as that received by the exempt Foreman, who had overall responsibility for the job. The Company maintained that the level of discipline was consistent with these types of safety violations.

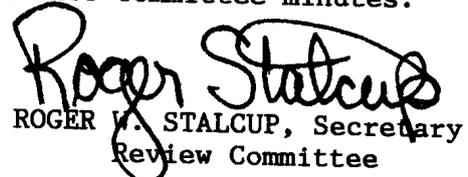
Settlement

After considerable discussion and careful review of the facts, the Committee agreed that the grievant was properly disciplined for his safety violations. The Committee also acknowledged that the discipline of the grievant was for a different safety violation than that of the exempt Foreman.

Therefore, based on the facts of this case, the Committee agrees that the discipline was appropriate and the case is closed without adjustment and such closure should be noted in the Joint Grievance Committee minutes.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

RBolf(2-5665):stc