



REVIEW COMMITTEE

7.1 - Just cause for discipline - unauthorized removal of gasoline.

JAN 25 1990



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

**CASE CLOSED
LOGGED AND FILED**
RECEIVED JAN 23 1990

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
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(415) 933-6060
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

General Construction Grievance No. 3-1945-89-50
P-RC 1392

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

January 18, 1990

BYRON TOMLINSON, Chairman
General Construction
Joint Grievance Committee

BARRY HUMPHREY, Chairman
General Construction
Joint Grievance Committee

Subject of the Grievance

This case concerns giving Decision Making Leaves for unauthorized removal of gasoline from a Company gas can.

Facts of the Case

The Committee determined that the grievants had left the yard at the end of the workday to go to a canteen. One of the grievants hitched a ride because his vehicle was out of gas. After some period of time, the grievant requested assistance from the other grievant to get some gas and a ride back to the yard.

The grievants claim they attempted to get a gas can but were unable to find one or purchase one due to the limited funds.

The grievants returned to the yard, took a full gas can off a Company truck and poured approximately two gallons into the grievant's personal vehicle.

Discussion

The Union argued that this was not a case of theft. The grievants did not attempt to conceal their behavior; they borrowed the gas assuming their Foreman would approve. The Company argued that the grievants had numerous options they could have chosen rather than taking Company property without the express prior approval of management.

Decision

Given the preponderance of evidence, the Committee agreed the Decision Making Leaves were for just cause.

This case is closed without adjustment, 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

RLBolf(223-5665):mc