



REVIEW COMMITTEE

7.1 -Just cause for discharge: Poor work performance. Claim physical disability was cause of poor performance.



PACIFIC GAS AND ELECTRIC COMPANY
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(415) 973-1125

OCT 29 1990

**CASE CLOSED
LOGGED AND FILED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED OCT 29 1990

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

North Bay Division Grievance No. RW-NB-4-62-89-40-8
P-RC 1411

October 18, 1990

CHARLENE PICKUS, Company Member
North Bay Division
Local Investigating Committee

LARRY PIERCE, Union Member
North Bay Division
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of a short service Utility Clerk-Typist from San Rafael, Administrative Services Department, for unsatisfactory work performance.

Facts of the Case

The grievant was last assigned to the job scheduling desk. She had previously performed petty cash, COMPRESS, reprographic and other duties. She was assigned the job scheduling responsibilities when her performance continued to be unsatisfactory on the other assignment. Prior to discharge, the grievant was disciplined with an Oral Reminder, a Written Reminder, a Decision Making Leave, all in the Work Performance category. In addition, she had an active Oral Reminder and Written Reminder in the Conduct category. In between the various steps of discipline, she was coached and counselled numerous times, including about Attendance, the third category.

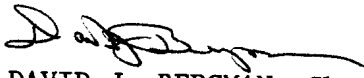
A grievance was filed protesting the Decision Making Leave and was being reviewed in the grievance procedure at the time of discharge. The Fact Finding Committee subsequently upheld the DML as issued for just cause.

The employee alleged her errors were due to a physical disability, poor vision. The Company sent her several times for medical evaluation. In addition, she was visiting Kaiser on her own. The general consensus was that the grievant's eye sight should not preclude her from performing her work with accuracy; however, some recommendations were made for work place accommodations, modifications, and for the grievant to utilize certain techniques. Company complied with these recommendations and explained them to the grievant. The grievant, on the other hand declined to implement some of the recommendations, including a refusal to wear her glasses.

The Committee noted that this Department had three beginning positions: a Utility Clerk, a Utility Clerk-Typist and a Utility Clerk-Steno. The grievant worked in the first two, and was not qualified on steno.

Decision

After reviewing the facts of this case, the Pre-Review Committee finds there was insufficient evidence to support the contention that the grievant's unsatisfactory work performance was due to physical disability. The Committee, therefore, concludes the discharge was for just and sufficient cause. This case is closed without adjustment, and such closure should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

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