



# REVIEW COMMITTEE

MAR 28 1991

**CASE CLOSED  
LOGGED AND FILED**

MAR 28 1991

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

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. 3-2098-90-43  
P-RC 1470

7.1 -Just cause for discharge  
Gr "obtained" electric  
meter, installed at friend's  
home w/o authorization.  
Reinstated w/o backpay on  
DML, demoted.

**IBEW**



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
PO. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(415) 933-6060  
R.W. STALCUP, SECRETARY

March 21, 1991

BYRON TOMLINSON, Chairman  
General Construction  
Joint Grievance Committee

BARRY HUMPHREY  
General Construction  
Joint Grievance Committee

Subject of the Grievance

Discharge of a Gas Construction Working Foreman "A" without just cause.

Facts of the Case

The grievant was a 29-year employee with an Oral Reminder in work performance.

The grievant installed an electric meter at a friend's home where he was performing electrical work on his own time. The grievant called a Company New Business Representative to look at the work he did. The Representative questioned the grievant about the meter. The grievant stated he did not know where the meter came from and denied any knowledge. The Representative observed usage on the meter and also verified that no meter was assigned to that location. The Representative called for a Troublemaker to install a gold seal on the meter but when he arrived he found that the meter was removed. The meter was later recovered and the customer was billed.

Discussion and Disposition

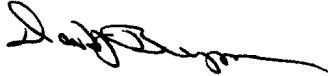
The Company argued that the grievant held the position of Working Foreman which requires him to demonstrate supervisory skills; that he took a meter without authorization; that he intentionally obstructed the investigation by covering up his actions.

The Union argued that this is not a case of diversion but the meter was at zero; the amount of energy used was metered and billed. The grievant, however, did have the meter without authorization.

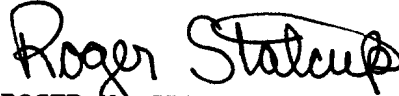
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Given the facts in this case, the Committee agrees that this is not diversion but unauthorized possession of an electric meter and obstruction of an investigation. This misconduct warrants severe discipline. The Committee, however, agrees that discharge is too severe and agrees to reduce the discharge to a DML effective the date of the grievant's return to work and a demotion to Carpenter "A." This return is without backpay.

This case is closed without further adjustment.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

JAMoffat(223-5665):nj

cc: Philip G. Damask  
Richard B. Bradford  
Rodney J. Maslowski  
Ronald A. Morris  
Business Unit HR Managers