

7.1 -Just cause for disciplin
Written Reminder for
avoidable forklift
accident.



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
201 MISSION STREET, 1513A
SAN FRANCISCO, CALIFORNIA 94105
(415) 973-1125

D.J. BERGMAN, CHAIRMAN

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

AUG 14 1992
**CASE CLOSED
LOGGED AND FILED**

RECEIVED AUG 14 1992

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

Steam Generation Grievance No. PPP-91-3
P-RC 1586

August 13, 1992

DAVID SARGENT, Company Member
Pittsburg Power Plant
Local Investigating Committee

JOE VALENTINO, Union Member
Pittsburg Power Plant
Local Investigating Committee

Subject of the Grievance:

This case concerns a Written Reminder in the work performance category given to a Certified Welder at Pittsburg Power Plant for an avoidable forklift accident.

Facts of the Case:

The grievant testified that on August 8, 1991 he drove a Company forklift around the plant with the forks positioned 6-12 inches above the ground prior to hitting a banded curb. The grievant speculated that the forklift must have had a slow hydraulic leak causing the forks to gradually lower. He also suggested that the uneven ground surface near the curb contributed to the accident.

An investigation of the accident indicated that the forklift hit the curb three inches above ground level. The forklift was sent to an outside vendor for inspection which did not indicate that there was a leak in the hydraulic system. There was little if any damage done to the forklift as a result of the accident.

Discussion:

The Company stated that the grievant was issued a Written Reminder due to his violation of accident prevention rules that resulted in his own injury and consistency with previous avoidable automobile accidents in the Steam Generation Department.

The Union argued that the disciplinary action taken was too severe and noted that there was no documented damage done to the forklift. The Union also noted that this was not a backing accident, which the parties have generally agreed is more serious, and that the grievant has over ten years Service and no active discipline.

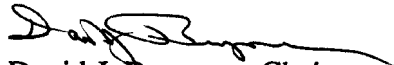
The Pre-Review Committee reviewed P-RC Decisions 811, 1365, 1382 and 1540 that also dealt with avoidable auto accidents. P-RC 811 sustained a one day disciplinary layoff for a backing accident that resulted in damages to another vehicle. P-RC 1365 and 1382 reduced Written Reminders to Oral Reminders due to inconsistency in discipline for avoidable auto accidents within the same headquarters. P-RC 1540 reduced a Written Reminder to an Oral Reminder due to the long service, good performance, and unblemished record of the grievant.

Decision:

The Pre-Review Committee determined that it was appropriate to discipline the grievant in this case, but that the Written Reminder should be reduced to an Oral Reminder.

The Committee's decision is based on the fact that there was little or no damage done to the forklift, the grievant's demonstrated performance over ten years, the absence of any active discipline, and the fact that this case was not a backing accident.

This case is closed per the above adjustment.


David J. Bergman, Chairman
Review Committee


Roger W. Stalcup, Secretary
Review Committee

SARayburn(223-1123): nj