



REVIEW COMMITTEE

IBEW



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**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

Fresno Grievance No. FRO-96-42
Fact Finding File No. 6474-97-005
Pre-Review Committee Case No. 2104

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Grievance Issue

This grievance concerns a Written Reminder issued to a Fresno Service Representative for making inappropriate adjustments to a customer's account.

Facts of Case

On June 14, 1996, the grievant was issued a Written Reminder as a result of providing nearly \$600 in adjustments to a customer's account. According to the Written Reminder, the adjustments were not issued in accordance with existing procedures and the documentation was insufficient. There were a total of three adjustments, which were processed on 10/24/94, 2/21/95 and 8/11/95. Around October, 1995, these adjustments came to the attention of a supervisor, who enlisted the aid of Corporate Security to conduct an investigation. The grievant was not interviewed regarding the subject of the investigation until March 1996, due to the fact she was away from work on a medical leave until that time.

Discussion

The Pre-Review Committee disagreed over whether the Written Reminder was issued for just cause. Company believed there was a procedure in place that dictated how transactions of this type were to be processed; that that procedure required maintenance of documentation demonstrating the basis for the adjustment; that in this case, Company was unable to locate any documentation to support any of the three adjustments. The grievant testified that the required documentation was generated in conjunction with processing the adjustments. Union noted that during the time period in question, there was a very high volume of ECI's being worked by Customer Services employees in the Records Department; that an adjustment in the amount at issue in this case would require the approval of the Records Department Lead Clerk; that the Lead Clerk did in fact approve the adjustments at issue; that the Lead Clerk was issued a Written Reminder in conjunction with these same events.

The Committee noted, however, that the Written Reminder had deactivated on June 13, 1997, before the grievance was placed on the agenda of the Pre-Review Committee. Given that the Pre-Review was not afforded the opportunity to discuss the grievance while the discipline was active, and further given that the Committee is in disagreement regarding the level of disciplinary action given in this case, this grievance will be closed on the basis that the issue is moot. The parties are still committed to resolve disciplinary grievances which may become deactivated once reaching Pre-Review Committee.

Decision

This grievance is closed on the above basis.

Margaret A. Short, Chairman
Review Committee

7/18/97

Date

Roger W. Stalcup, Secretary
Review Committee

7/18/97

Date