



REVIEW COMMITTEE

IBEW



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INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W
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(510) 933-6060
R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Grievance No. 22NPG-~~769-97-04~~ ^{811-97-036 28}
P-RC 2108

Joe De Martini
Company Member
Local Investigating Committee

Ken Ball
Union Member
Local Investigating Committee

The Pre-Review Committee discussed this case and agreed to return it to the Fact Finding Committee to review the unescorted access procedure for workers at Diablo Canyon Power Plant and to attempt to resolve this case.

Margaret Short
Margaret Short, Chairman
Review Committee

Roger W. Stalcup
Roger W. Stalcup, Secretary
Review Committee

5/28/98
Date

5-28-98
Date

Memorandum of Disposition

Fact Finding 6500-97-031

Grievance No. ~~769-97-004~~ 811-97-036

RECEIVED by LU 1245
Feb. 27, 2001
CASE CLOSED
FILED & LOGGED

Subject of Grievance

This grievance concerns the discharge of a Firewatch at the Diablo Canyon Power Plant for curbing meters while a Hiring Hall Meter Reader in San Jose.

Discussion

The Company became aware that the grievant had curbed meters shortly after his arrival at the Diablo Canyon Power Plant. The grievant did not dispute the fact that he had curbed meters while a Hiring Hall employee.

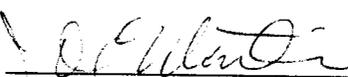
The Union argued that the discharge was inappropriate because the curbing took place while the grievant was a Hiring Hall employee. The Hiring Hall letter agreement, 95-145, provides that a hiring hall employee may be returned to the hall with a 12 month letter if for any reason their conduct is deemed unacceptable by the Company. Since the curbing took place while the employee was in a Hiring Hall classification, it was inappropriate to discharge him from a regular PG&E position.

It has been well established in the grievance procedure that curb reading is a dischargeable offense, even for a single occurrence. The Company argued that as the grievant was a regular status employee at the time the Company became aware of the misconduct, the only appropriate avenue available to the Company was discharge. And further, that it would be unfair to discharge a regular status Meter Reader for curbing while allowing a Hiring Hall Meter Reader to go without consequence.

The Committee also discussed that at the time the grievant was discharged he had not yet obtained unescorted security access which is a requirement of the Firewatch position. His access request was rejected and he was in the process of appealing that decision. The Committee, after discussion with the appellant officer, determined that the grievant would not have been able to obtain unescorted security access.

Decision

Notwithstanding the position of either party, it was determined that the grievant would not have obtained unescorted security access and would have been terminated from the Firewatch classification. Therefore, the issue in this grievance is moot. On that basis, this grievance is considered closed.



For Company

concur/dissent

2/9/99

Chris Anthony
For Company

concur/dissent 2/11/99

Mal Hampt
For Union

concur/dissent 2/10/99

Kenneth Ball
For Union

concur/dissent 2-10-99