



REVIEW COMMITTEE



IBEW

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PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(510) 974-4282

**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

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

**Bakersfield Grievance No. BAK-97-07
Fact Finding Committee No. 6527-97-58
Pre-Review Committee Case No. 2138**

JEFF NEELEY
Company Member
Local Investigating Committee

MIKE GRILL
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Written Reminder that was issued to a GC Field Mechanic A for consuming alcohol on company property following a pre-arranged overtime assignment.

Facts of the Case

In September of 1996, the Supervisor responsible for the Kern Power Plant garage received reports from garage employees that the grievant had been consuming alcohol on company property during working hours. In the LIC Report, the Supervisor states that during his investigation, none of these employees involved in reporting this situation were willing to make this claim against the grievant. However, in the LIC Report, the Supervisor stated that following his investigation, he reiterated to the grievant that consuming alcohol on company property was a violation of Standard Practice 735.6-1, Employee Conduct. In December 1996, the Supervisor received another report that employees were consuming beer in the Kern Power Plant garage and that the grievant could be involved. During the course of the investigation, the Supervisor discovered beer in the garage refrigerator as well as a 55 gallon drum located in the garage that was full of empty beer cans. The Supervisor also discovered an opened can of beer which was one-third full in a desk drawer located in the garage. When questioned by the Supervisor about these discoveries of beer, the grievant stated in the LIC Report that the beer was not his and that he had no knowledge of how the beer got in the garage refrigerator or in the desk drawer. The grievant also stated that he did not have any information regarding the empty beer cans in the drum. However, the grievant stated to the Supervisor that the grievant witnessed other employees drinking alcohol on the job and that the beer probably belonged to these employees. The grievant also stated that he would not tell the Supervisor the names of these employees.

During the course of this investigation, the grievant stated in the LIC Report that on one occasion he was returning from Los Angeles on a pre-arranged overtime assignment and he stopped by the Kern Power Plant garage to lock up the garage. Before getting out of his car to lock up the garage, the grievant stated that he took a couple of drinks of a beer that he had in his car. The grievant stated in the LIC Report that he usually has beer in his personal vehicle and that this type of situation of drinking beer from his personal vehicle after working hours has happened on more than one occasion. The grievant also stated in the LIC Report that he didn't think this to be a problem since he consumed the beer after working hours.

Discussion

The Pre-Review Committee noted from the outset that the Written Reminder that was issued to the grievant on March 3, 1997 had been deactivated.

The Company argued that the Written Reminder issued to the grievant was for just and sufficient cause based on the fact that the grievant admittedly consumed alcohol on Company property. While the grievant was not on the clock and therefore was not being compensated during the time in which he stated he consumed the alcohol, the fact remains that the grievant did consume alcohol on Company property while locking up the garage following the pre-arranged overtime assignment. Furthermore, the grievant admitted that this was not the first time that he had consumed alcohol on Company property. This type of behavior, which is in violation of both Standard Practice policies as well as Accident Prevention rules cannot be condoned.

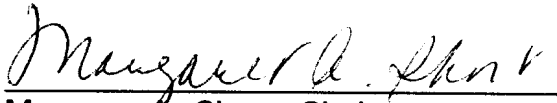
The Union argued that the Written Reminder issued to the grievant was without just or sufficient cause given the facts presented in this case. The Union argued that the grievant was not on the clock during the time in which he stated he took a drink of beer nor did the grievant admit to taking the beer with him on company property while he locked up. In addition, the Union argued that this had been the only occasion in which the grievant consumed alcohol on Company property while performing any type of activity (i.e. locking up the garage).

Decision

The Pre-Review Committee could not agree whether discipline was appropriate. However, inasmuch as the Written Reminder issued to the grievant is now deactivated and there was no subsequent discipline, the Committee agreed that the just cause issue of the Written Reminder is now moot.

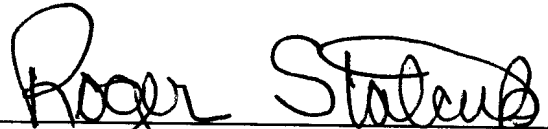
The Committee did reaffirm that consuming alcohol on Company time, Company property, or at a worksite is inappropriate and will subject an employee to discipline up to and including discharge.

On the basis of the foregoing, this case is considered closed without prejudice to either party.



Margaret A. Short, Chairman
Review Committee

5/5/98
Date



Roger W. Stalcup, Secretary
Review Committee

5/5/98
Date