



# REVIEW COMMITTEE

# IBEW



PACIFIC GAS AND ELECTRIC COMPANY  
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INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
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WALNUT CREEK, CALIFORNIA 94596  
(510) 933-6060  
R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

CASE CLOSED  
FILED & LOGGED

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

San Jose Division Grievance No. SJO-97-39  
Fact Finding File No. 6661-98-036  
Pre-Review Committee No. 2151

KATHY RICHARDS  
Company Member  
Local Investigating Committee

KATHY MAAS  
Union Member  
Local Investigating Committee

### Subject of the Grievance

A Gas Fieldman was issued an Oral Reminder for failure to mark and locate facilities as requested by USA.

### Facts of the Case

On November 4, 1997 the grievant was assigned to locate and mark facilities approximately 100' in all directions on both sides of the street at an intersection in Santa Clara. The grievant, however, only marked the facilities two feet beyond the area chalked by the contractor which is the procedure outlined in CES Standard C-T&CS-SO214, Protection of Underground Infrastructure. A dig-in occurred at this job in the area that was not marked but within the 100' requested area.

About eight months prior to this incident the supervisor issued and tailboarded a memo to all the locators in his department due to two other dig-ins. The memo indicated they needed to find ways to prevent dig-ins. The memo outlined three actions: mark the entire locate; mark outside the white marks; and do not depend solely on the maps.

A few days after the Oral Reminder was issued, the grievant was removed from mark and locate duties.

### Discussion

The Company opined that the grievant did not follow instructions as outlined on the USA tag and the memo issued by the supervisor. If he had, the dig-in could have been prevented. At the very least, the grievant should have called his supervisor if he had concerns about the specific instructions on this job.

The Union argued that the grievant complied with the Company's standard and with what is taught in the Mark and Locate class. Further Union argued that the contractor is required to dig only within the white marks and since the dig-in was outside the white chalked area, PG&E was not liable for the damages. Finally, the Union argued that Company removed the grievant from mark and locate in retaliation for filing a grievance.

Company responded that the supervisor testified he was concerned that the employee would not follow the instructions and that he needed the grievant to drive since he has a Class A license.

**DECISION**

This case was referred to the Pre-Review Committee after the deactivation of the Oral Reminder because of the reassignment issue. The PRC recently became aware that the grievant was again assigned to mark and locate effective May 1, 1998.

Based on the foregoing, this case is closed as the issues are moot.

Margaret A. Short  
Margaret A. Short, Chairman  
Review Committee

6/11/98  
Date

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

6-11-98  
Date