



**Pacific Gas and
Electric Company™**

REVIEW COMMITTEE



IBEW

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

RECEIVED
OCT. 21, 1999
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
PERRY ZIMMERMAN, SECRETARY

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. SAC-99-02
Fact Finding No. 6897-99-055
Pre-Review Committee No. 2233

BRENDA MARTINEZ
Company Member
Local Investigating Committee

PHIL CARTER
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a DML issued to a Lineman for violating several safety rules, specifically failing to appropriately rubber equipment and failure to leave the contact area when removing a rubber glove.

Facts of the Case

The grievant and his Foreman were working from an aerial bucket changing cut outs. One half of the line was dead. While working on the second cut out, the grievant decided to take a break half way through the process. He saw a coyote and took one rubber glove off because his hands were sweaty. Although it is not clear from the record, but it appears when the grievant took off his glove, he pointed at the coyote and came in contact with the energized line. The grievant received a serious burn to his hand.

At the time of the incident the grievant had no active discipline and approximately 8 ½ years of service.

Discussion

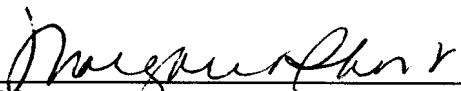
The PRC at the outset recognized the importance of following all safe work practices and noted the grievant's admission of knowledge of the rule violated.

Most of the discussion focused on the Positive Discipline System and the fact that the grievant had no active discipline at the time the DML was issued. Skipping steps in the procedure, in the Union's opinion, flies in the face of the intent of the program which is to change behavior. Union believes that management is not recognizing that a Written Reminder is a serious step in the disciplinary process and that putting employees immediately on a DML puts the employee at risk of discharge for minor, unrelated to the DML infractions.

Company responded that there are some situations that are so serious that more severe discipline is warranted as in this case because the grievant not only caused injury to himself but also put the Foreman who was in the bucket with him at risk of injury. Further, the Company noted that recently there have been several high profile incidents that have inconvenienced customers, resulted in injuries, and made headlines due to employee failure to comply with safe work procedures.

DECISION


After much discussion, the PRC agreed the DML was for just and sufficient cause. This case is considered closed.



Margaret A. Short, Chairman
Review Committee

10/21/99

Date



Perry Zimmerman, Secretary
Review Committee

10-21-99

Date