



## REVIEW COMMITTEE

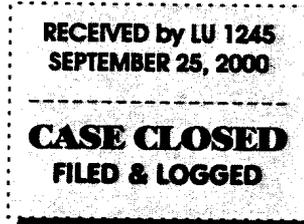
**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
2850 SHADELANDS DRIVE, SUITE 100  
WALNUT CREEK, CALIFORNIA 94598  
(925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(925) 933-6060  
BOB CHOATE, SECRETARY

General Construction Grievance No. SAC-99-38  
Pre-Review Committee No. 10724

Brenda Martinez  
Company Member  
Local Investigating Committee

Phil Carter  
Union Member  
Local Investigating Committee

### Subject of the Grievance

This grievance challenges a Decision Making Leave given a Working Foreman C - Gas for failure to adhere to safe work practices, specifically failure to follow instructions of the Inspector and failure to communicate to the Inspector or the Field Engineer the change in the work performed.

### Facts of the Case

The two work locations involved were new Option II installations of 4" and 2" gas pipeline with the dry utilities already installed performed by contractors. Actual tie-ins of these pipes can only be performed by Company personnel.

The Inspector met with the Working Foreman on September 19, 1999 and according to the Inspector, told the Foreman he was to install tees at both locations, stub and cap them. In addition, at the location with the 4" pipe, the Foreman was to install a 2" reducer in the 4" pipe. The Inspector stated to the LIC, that he specifically told the Foreman, not to tie-in the new pipe to the operating system as it had to be re-tested by the Division.

The testimony indicates that a Welder who worked with the grievant was present for some of the discussion of the work assignment, but not all of it. The grievant states he wasn't totally clear about the work assignment because it was all verbal with nothing in writing and no prints. He stated that in the future he would ask for instructions in writing.

The Gas Construction Supervisor (GCS) told the LIC that often times jobs are performed with verbal instructions by an Inspector or Field Engineer, sometimes a work ticket or print is available, however, in absence of that, verbal instruction is standard operating procedure. Having a print is not always practical.

The grievant could have picked up the phone and asked if he had any doubts or had a question or concern regarding the job or work to be done.

Further, the GCS testified the grievant did not report that he had tied the second work location into the operating system as he is required to do. He explained that the potential impacts could have been serious and costly as the PUC would have been definitely notified, customers would have been out, services would have been shut down, pilot lights would have to be relighted. As it was, a crew had to work an additional four hours at that job site to correct the situation when the tie-in was discovered on September 22 during testing by the Division Inspector.

The GCS testified he believes the grievant knows he was wrong and tried to hide what he did. When the problem was brought to his attention on or about September 23, he met with the entire group of employees that were working at that job site and asked who was responsible for the tie-in. The grievant was in the group and did not step forward until an hour later when the grievant came to him and admitted he had made the tie-in.

At the LIC the grievant admitted he was at fault. He tied into the 2<sup>nd</sup> location because he does not recall not being told to do so and did not notify anyone of the work that he had performed. Since everything was verbal he took it upon himself to tie the 2<sup>nd</sup> location in.

At the time of the DML, the grievant had no active discipline and had been a Working Foreman C since 1995.

#### Discussion

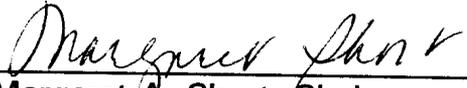
The Union opined that the DML was too severe as the grievant made a judgment call because the instructions provided the grievant weren't clear and he had no written plans. Union argued the grievant was the only one disciplined and it appears an attempt by the Company to "kick up the discipline" for something that in the Union's opinion should warrant a Written Reminder. Union noted the grievant admitted his error and committed to do better.

Company stated the grievant was required to report the tie-in and he didn't. His failure to do so after the work he performed jeopardized the system, leaving a possible disastrous hazard, and placed Company in a vulnerable position. Additionally, when the grievant was confronted with the situation, he chose not to come forward until after the investigation. Dig-ins in that area were above average because of the amount of new construction activity. Given that the grievant could have taken the time to call and ask for clarification of his work assignment and because he is a crew leader, the DML for these very serious offenses is appropriate.

Decision

The PRC agrees that the DML, in this case, was appropriate. As a crew leader with several years experience, the grievant is expected to know and comply with all safety and work procedures and policies.

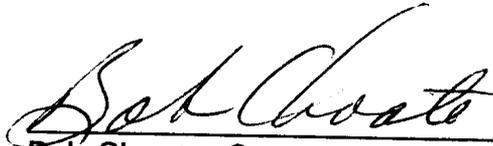
This case is considered closed.



Margaret A. Short, Chairman  
Review Committee

9/12/00

Date



Bob Choate, Secretary  
Review Committee

9/12/00

Date