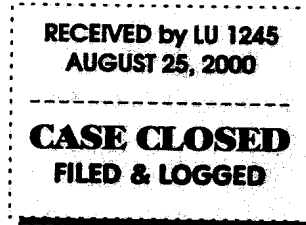




REVIEW COMMITTEE



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



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

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

East Bay Grievance No. OAK-99-121
Pre-Review Committee No. 11064

Pat Medrano
Company Member
Local Investigating Committee

Lulu Washington
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Written Reminder given to a Title 300 Electric Subforeman A on a job in Area 2 for working without work signs or arrow boards warning traffic of conditions.

Facts of the Case

The grievant and his crew were assigned to install and remove two spans of wire over Highway 4 in Martinez on a prearranged overtime basis on a Sunday morning. The Supervisor met with the Subforeman on the preceding Thursday to plan the job. The Supervisor told the grievant to arrange for Ed's Traffic Control to be at the job site to stop traffic. The grievant indicated that would not be necessary as he had already made arrangements with the Highway Patrol for the officer on duty to contact him at approximately 4:30 a.m. on the Sunday to get the location of where to stop the traffic. Due to a mix-up by the Highway Patrol, no Officer made contact or was present at the time of the accident.

Because the Cal Trans permit expired at 7:00 a.m. and all customers had to be back on line by 8:00 a.m., the grievant made the decision to proceed with the job without having the Highway Patrol to control the traffic flow. At approximately, 4:55 a.m. the grievant made radio contact with the crew on the other side of the road. He said he could see approximately 1 ½ miles to the West and about ½ to ¾ miles to the East. He asked the Lineman to cut the wire and he would pull the wire across the road when it was clear. They were successful with the first wire. However, with the second wire, as he was pulling it "hand over hand", a car approached from the East. As it passed, the tail end of the wire wrapped around a bike rack on the car and pulled it off causing about \$2200 damage.

The Supervisor visited the job site on Thursday night and found no road signs put out but determined that the crew was working 50-60 feet off the road so no signs were needed. However, when he arrived at the job site on Sunday after the incident with the car (the grievant called him at approximately 5 a.m.), there were no road signs out when the crew was removing the wire across the highway.

Discussion

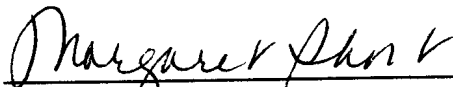
The Union argued that a Written Reminder was too severe because when the Supervisor was out he agreed that no signs or boards were required based on the work involved and at most the grievant erred in judgment but did so in the interest of getting the job done in the allotted time. Union's member of the PRC contacted the Highway Patrol and was informed that road signs are permitted on two lane highways but not four lanes. The PRC visited the job site and secured a CHP Report. The PRC noted that traveling west there is one lane from the overpass (the end of the freeway). Traveling east (the direction of the vehicle involved in the accident) the two lane roadway breaks out into a passing lane and then blends into the freeway at the overpass.

Company responded that when the Supervisor was at the job site the crew was working a good distance off the road, but on that Sunday when the incident occurred, they were working on or near the road and road signs should have been put out. It should be noted too that at the time the job was being worked, it was dark and road signs would certainly have alerted any traffic to proceed with more caution.

Decision

Based on the CHP Report and with the proper warning devices that the crew had available, this accident could have been avoided. Therefore, the PRC is in agreement that the Written Reminder was for just and sufficient cause.

This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

8/15/00

Date



Bob Choate, Secretary
Review Committee

8/15/00

Date