

7.1: *The discharge of a Martin Svc. Center GC UG Subforeman A for failure to follow work procedures (spiking the wrong cable that caused to blow up and resulting to a costly repair for the damage) was issued for just and sufficient cause.*



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MARGARET A. SHORT, CHAIRMAN  
DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL

## REVIEW COMMITTEE

RECEIVED by LU 1245  
October 1, 2007

**CASE CLOSED  
FILED & LOGGED**



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
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VACAVILLE, CALIFORNIA 95696  
(707) 452-2700  
BOB CHOATE, SECRETARY

### Pre-Review Committee No. 17189 General Construction Line – Martin Service Center

Durla Kelleher  
Company Member  
Local Investigating Committee

Hunter Stern  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the discharge of an Underground Subforeman A – GC for failure to follow proper work procedures.

#### Facts of the Case

On December 1, 2006 the grievant was temporarily upgraded to Inspector A. It was his responsibility to monitor the work of subcontractors. He was called to a worksite of a contractor crew and asked to spike the cable they were to work on. He spiked the cable pointed out by the subcontractor but did nothing to verify that it was the correct cable. There were several ways the grievant could have verified that he was about to spike the proper cable. He did none of them.

The grievant spiked the wrong cable, one that was energized, resulting in the cable blowing up just seconds after two contractor workers exited the manhole. No outage occurred, however, the cost to repair the damage was \$10,000.

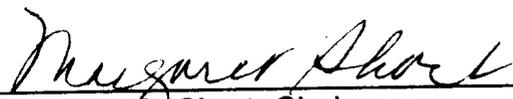
At the time of discharge, the grievant had an active Written Reminder for making a threatening comment to his supervisor; a Decision Making Leave for vandalizing Company property and giving false statements during the investigation; and a Mitigation to Discharge letter for entering a manhole without first testing for gas and for not having appropriate traffic control measures were in place. The WR and DML were grieved and upheld.

#### Discussion

Based on the above disciplinary record, the Pre-Review Committee is in agreement that this employee had many opportunities to change his behavior and comply with all conduct, safety, and work rules.

Decision

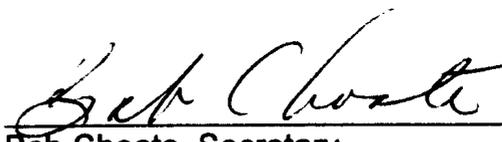
The discharge was for just and sufficient cause. This case is closed without adjustment.



Margaret A. Short, Chairman  
Review Committee

9/29/07

Date



Bob Choate, Secretary  
Review Committee

9/29/07

Date