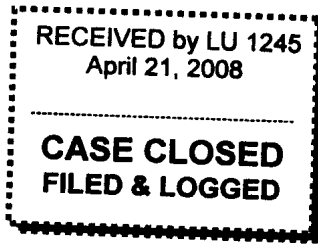




REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
P.O. Box 770000
San Francisco, CALIFORNIA 94177
(415) 973-6723



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
BOB CHOATE, SECRETARY

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

Pre-Review Committee No. 17346 Customer Field Services – Electric - Richmond

Joe Cerruti
Company Member
Local Investigating Committee

Lula Washington
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a DML given a Troubleman for making threatening comments, failing to report for work as instructed, and being late for work without calling in.

Facts of the Case

On February 14, 2007 the grievant requested funeral leave to attend the services of a co-worker's spouse scheduled for Sunday, February 18 at 1 p.m. The grievant was scheduled to work 2 – 10 p.m. The Supervisor told him he could have the time off but to report following the services, the Supervisor would ask the Troubleman on the prior shift to stay over on overtime. On February 15, the employee asked for the full shift, the Supervisor agreed to four hours but not the entire shift. The employee left two inappropriate voice mails on the Supervisor's phone; he also left one of them on the home phone. The messages were insubordinate, disrespectful, and threatening. The Supervisor's wife overheard the message left on the home phone, felt threatened and concerned for the family's safety.

On February 16, the grievant discussed the time-off request with his Shop Steward who reported the comments to the Supervisor because he considered them serious and felt he, had a duty to act. These comments were overheard by a second Troubleman. Specifically, the grievant stated that the Supervisor and Manager:

“would find themselves laying on the ground looking up at the stars and that our teeth would be laying around us and that we would never know where this might happen and that it could even be some of his friends that would make this happen.”

The Troubleman indicated the grievant further stated he knew where the Supervisor lived as he's seen him at the store before and would be able to find him. These comments were reported to Corporate Security. The grievant denied making direct or indirect threatening comments.

The grievant did not attend the funeral and did not report for work. He left a voice message that he was sick, bleeding ulcer acting up due to stress. The grievant acknowledges the Supervisor gave him a direct order to report for the second half of his shift, by 6 p.m.

On February 22, 2007 the grievant was 1 ¼ hour late for work. He reported for work, citing traffic problems, after the Supervisor left message for him inquiring as to his whereabouts.

Discussion

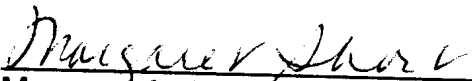
Union argued that the grievant's comments were being blown out of proportion, that he was just blowing off steam and not serious; that the comments were not made directly to the Supervisor; that the grievant was understandably upset that he was being required to report for work after the funeral services when he thought he would be too distracted to work.

Company responded that the grievant made inappropriate comments to the Supervisor as well both at work and at home. Further, just because the comments were not made directly to the Supervisor does not mean they are any less serious or that discipline isn't warranted. It would also appear that the employee's visit to the hospital was to cover his preplanned absence and failure to attend the funeral, a resort to self-help.

The PRC noted that threatening behavior and comments cannot be tolerated in the workplace, the company communicates annually to all employees about not creating a hostile work environment, and we are all accountable for our actions.

Decision

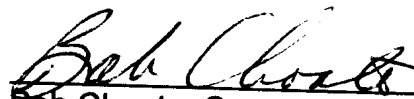
The Pre-Review Committee is in agreement that the DML was for just cause. This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

4/16/08

Date



Bob Choate, Secretary
Review Committee

4/16/08

Date