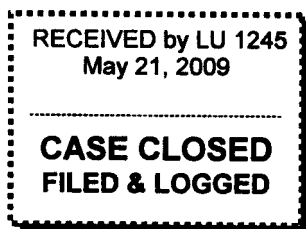




## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
MAIL CODE N2Z  
P.O. BOX 770000  
SAN FRANCISCO, CA 94177  
(415) 973-6725



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 2547  
VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

JOHN A. MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

BOB CHOATE, SECRETARY

### Pre-Review Committee No. 18355 Energy Delivery – Electric T&D North Bay

Michelle Roberts  
Company Member  
Local Investigating Committee

Joe Osterlund  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

The case concerns a Written Reminder issued to a Lineman in Work Performance as a result of the Company vehicle being struck by a third party.

#### Facts of the Case

The grievant was hired on January 18, 2001 and has no active discipline.

On April 28, 2008 the grievant exited a parking lot turning right and had to move immediately into the left hand turn lane to make a left hand turn. The spot from where the grievant was exiting made it difficult to see down the road for oncoming traffic due to a bend in the road. The grievant did not see an oncoming vehicle which struck the Company truck. The grievant believes the third party was speeding and had to follow the third party for a short distance before the third party pulled over.

The grievant reported the accident to his supervisor and obtained the necessary information from the third party. The supervisor and a Safety, Health, and Claim's representative came right out to the scene. In the incident report there was some question as to the cause of the accident as there were no witnesses and it is the grievants word against the word of the third party. Additionally, the SH&C representative said that the responsibility for the accident was equally divided between the two parties.

Discussion

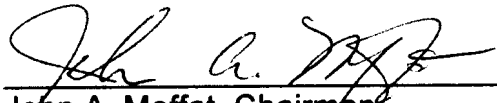
The parties agree that the employee made an unsafe lane change and that discipline is appropriate, the argument is degree of discipline. The Union suggested both at the LIC and at the Fact Finding step to reduce the discipline to an Oral Reminder.

Company argued that a Written is appropriate and has been the level of discipline in these types of cases. The employee had options and could have avoided the accident if proper procedures were followed.

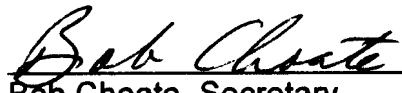
Decision

The Committee could not agree that the Written Reminder is appropriate in this instant case but agrees to deactivate the discipline effective the date of this decision.

This case is closed without further adjustment.

  
\_\_\_\_\_  
John A. Moffat, Chairman  
Review Committee

5/20/09  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Bob Choate, Secretary  
Review Committee

5/20/09  
\_\_\_\_\_  
Date