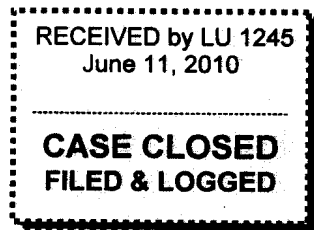




REVIEW COMMITTEE



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 MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Pre-Review Committee No. 19232 Customer Care – Gas Service - Fresno

Margaret Franklin
Company Member
Local Investigating Committee

Mike Grill
Union Member
Local Investigating Committee

Grievance Issue:

The Grievant was issued a Written Reminder for an automotive accident.

Facts of the Case:

The Grievant is a Gas Service Representative with 26 years and no active discipline. On May 11, 2009 the Grievant was issued a Written Reminder for an incident that happened on April 22, 2009.

The Grievant was familiar and had attended Smith Driving School.

There were three vehicles involved in this incident. Vehicle 1 made a turn in front of Vehicle 2 in an intersection and Vehicle 3, the Company Truck was following behind Vehicle 2. Both Vehicle 2 and Vehicle 3 struck Vehicle 1. The driver of Vehicle 1 was cited for turning in front of Vehicles 2 and 3. The Company truck also struck Vehicle 2.

The investigation determined that Vehicle 1 caused the accident but the Company truck was driving too close to vehicle 2 and had to swerve to try and avoid rear ending vehicle 2 but ended up striking vehicle 2 and vehicle 1.

The conclusion of the Company's investigation was that the Grievant was following too close to the vehicle in front of him.

Discussion:

The Union argued that the Grievant did not act in an unsafe manner that he was far enough away from the third party and that the accident was unavoidable and was the result of a third party's action.

The Company argued that the Grievant did not leave enough room between the Company vehicle and the vehicle in front of him and had to perform an evasive maneuver which resulted in the Company vehicle being involved in the accident. The Grievant's failure to follow safe work practices resulted in damage to the vehicles and injuries. The Written Reminder was for just cause.

Decision:

The parties agree that the discipline was for just cause and this case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

6/4/10
Date



Bob Choate, Secretary
Review Committee

6/4/10
Date