



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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RECEIVED by LU 1245
June 11, 2010

CASE CLOSED
FILED & LOGGED

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. 19473 Customer Care – Gas Service – Oakport

Voncille Williams
Company Member
Local investigating Committee

Lula Washington
Union Member
Local Investigating Committee

Grievance Issue:

The Grievant, a Gas Service Representative, on an active Oral Reminder was issued a DML for sleeping in a vehicle while at work.

Facts of the Case:

The Grievant is a Gas Service Representative with an active Oral Reminder was issued a DML for sleeping on the job.

The Supervisor and a System Reviewer were travelling together when they saw a service vehicle on the street with no cones out and the Grievant in his vehicle apparently asleep.

The Supervisor honked his horn three times to no avail and then proceeded to go over and knock on the window of the service vehicle. After several taps on the window the driver jumped as if he had just woken up.

The Grievant told the Reviewer that he was very tired from the night before and told the Reviewer he was sleeping.

The Supervisor stated that they have told employees to take micro breaks to gather thoughts before heading to the next job. They also can pull over to get a handle on things if they are too tired. It does not mean that they can keep the truck running, not cone the vehicle and sleep in the vehicle.

Discussion:

The Union argued that in this case the Grievant pulled to the side of the road to take a Micro break which is encouraged by the Company to gather their thoughts and get a handle on things if they are too tired. The Union further argued that the Grievant was not asleep but simply did not hear the horn of the supervisor's vehicle and the vehicle was not parked unsafely.

The Company argued that two management employees spent several minutes trying to get the Grievant's attention. He only responded when they knocked on the window of the vehicle. They had no doubt that the Grievant was sleeping. The Grievant also failed to have his parking cones in place and had the engine still running.

Decision:

The Grievant was on an active Oral Reminder in Work Performance and in this case it appears that the Grievant was sleeping on the job, which also falls into the Work Performance category, no cones out which violates Company policy and the engine running while he was not alert .The parties agree to close this case out without adjustment or prejudice to either parties position.



John A. Moffat, Chairman
Review Committee

6/4/10

Date



Bob Choate, Secretary
Review Committee

6/4/10

Date