



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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JOHN A. MOFFAT, CHAIRMAN
DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

REVIEW COMMITTEE



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

BOB CHOATE, SECRETARY

RECEIVED by LU 1245
November 8, 2010

**CASE CLOSED
FILED & LOGGED**

Pre-Review Committee No. 19559 Energy Delivery – GC Gas - Vacaville

Carol Quinney
Company Member
Local Investigating Committee

Mike Saner
Union Member
Local Investigating Committee

Subject of the Grievance

The grievant was issued a Decision Making Leave (DML) for an avoidable Motor Vehicle Incident (MVI).

Facts of the Case

The grievant is a Fieldman with five years of Company service at the time of the incident and had no active discipline.

The grievant was given a DML on August 19, 2009 for a MVI that occurred on July 14, 2009.

The grievant drove the dump truck to a sub lot where he was asked by the foreman to raise the bed in order to scoop out the rocks. The grievant followed the instruction and turned off the vehicle and began helping put the rocks into the open trench.

The Crew Foreman asked the grievant to lower the dump bed and take the truck back to the yard. The outside temp at the time was over 100 degrees and the heat in the cab of the truck was extreme. The grievant said his focus was to cool down the inside of the truck. At this point he did not realize that the truck bed was still raised. The grievant heard a thump and got out of the truck to find out what happened. He then saw the bed was raised and he had struck an overhead phone cable. AT&T responded as well as the supervisor to the site. They were able to move the cable and lower the bed of the truck. The only damage was to a guy wire, there was no damage to the truck or any interruption in phone service.

The grievant was familiar with the equipment and has been trained. In this case he failed to perform.

Discussion

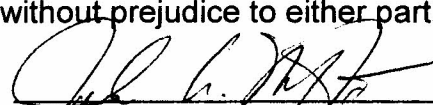
Union member argued that the discipline is too severe and that a Written Reminder would be more appropriate. The grievant did make a mistake and a written would be more in line with the discipline others have received.

Company argued that the grievant was responsible for the safe operation of the vehicle. The foreman asked him to lower the bed of the truck. The grievant stated that he was distracted. The grievant failed to perform an inspection, failed to lower the bed and the damaged caused could have be more severe.

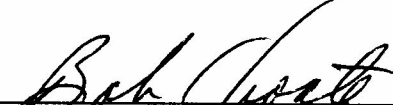
The Pre Review Committee understands that the disciplinary action has de-activated.

Decision

Based on the fact that the discipline has de-activated the parties agree to close this case without prejudice to either parties' position.



John A. Moffat, Chairman
Review Committee



Bob Choate, Secretary
Review Committee

10/29/10

Date

10/29/10

Date