

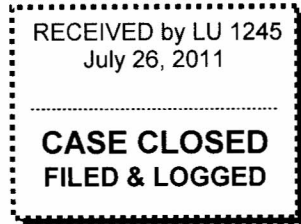


## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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INTERNATIONAL BROTHERHOOD OF  
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LOCAL UNION 1245, I.B.E.W.  
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VACAVILLE, CALIFORNIA 94696  
(707) 452-2700



DOUG VEADER, CHAIRMAN  
 DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

ED DWYER, SECRETARY

### Pre-Review Committee No. 20070 Customer Care – Gas Service - Fresno

Margaret Franklin  
Company Member  
Local Investigating Committee

Mike Grill  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns a Written Reminder issued for a backing accident.

#### Facts of the Case

The grievant is a Gas Service Representative with a hire date of September 28, 2005. At the time of the incident, the grievant's active disciplinary record consisted of two coaching and counselings in the work performance category and two in the conduct category.

The accident occurred as the grievant was backing up to park his vehicle in a covered stall. While backing up, the ladder rack struck the overhang. The accident resulted in damage to the ladder rack and the overhang. The LIC report indicates the rack was repaired by straightening and welding. There is no information regarding the cost to the Company in connection with the damage to the third party's parking stall cover.

#### Discussion

The Union argued that the grievant was not very familiar with the vehicle, having only been assigned the vehicle two months before the accident. His prior vehicle did not have a ladder rack and the ladder rack on his vehicle was higher than those on the other GSR vehicles in the yard. Given these factors, and relatively minimal amount of damage, the Union argued that the discipline was too severe.

The Company pointed out that there is no dispute that the accident was avoidable. The grievant did not account for the height of the ladder rack when backing into the stall. A Written Reminder for this backing accident is neither excessive nor inconsistent with discipline issued for other similar backing accidents. There are no mitigating factors which warrant reducing the disciplinary action.

In regard to the amount of damage, the Committee noted that damage associated with backing accidents is generally less than with forward moving accidents given the relatively slow speed when backing. As such, the extent of damage is generally not a mitigating factor in backing accidents. Never the less, the damage in this case was not insignificant.

Turning to the specific facts of this case, the Committee noted that the grievant had been assigned this vehicle for about two months. On any given day, an employee may be assigned a vehicle which they have never driven before. Employees are responsible for being familiar with the vehicle they are driving. When driving an unfamiliar vehicle, the importance of checking clearances becomes magnified.

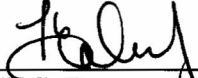
In regard to the grievant's efforts to avoid the accident, the Committee notes that he acknowledged that he did not perform a visual inspection to ensure clearance before backing. In his own words, the grievant did not mentally account for the fact that he was driving a different truck.

Decision

The Written Reminder was issued for just cause. This case is closed without adjustment.

  
\_\_\_\_\_  
Doug Veeder, Chairman  
Review Committee

7/26/11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
F.E. (Ed) Dwyer Jr, Secretary  
Review Committee

7/26/2011  
\_\_\_\_\_  
Date