



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
375 N. WIGET LANE, SUITE 130
WALNUT CREEK, CA 94598
(530) 246-6430

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

- ROBIN WIX, CHAIRMAN
- DECISION
 - LETTER DECISION
 - PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

Pre-Review Committee Number 22371 Electric Operations – Hydro Generation – Rodgers Flat

Robin Wix
Company Member
Local Investigating Committee

Kit Stice
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Decision Making Leave (DML) issued to a Water Systems Repairperson for not following a work direction given by his supervisor and failing to notify the Switching Center of his location at the Buck's Creek penstock. The remedy sought was to rescind/reduce the discipline and pay the grievant for any missed upgrade opportunities.

Facts of the Case

The grievant is a Water System Repairperson (WSR) with 35 years of service. The grievant had no active discipline at the time of the incident.

In June 2013, grievant reported a large rock resting against the Buck's Creek penstock to his supervisor. There was no urgency to have the rock removed at the time. On November 21, 2013, grievant brought the issue of the rock to the attention of his new supervisor. Grievant offered to take a walk up the penstock and remove the rock. The grievant's supervisor advised grievant to not take any action and that he would look into it. Grievant made a second comment to his supervisor that he could walk up the penstock and break up the rock in order to remove it. Grievant's supervisor again advised grievant not to take any action. Grievant stated that he understood his supervisor's direction to mean that he was not to remove the rock.

On December 2, 2013, Grievant was assigned a job, along with another WSR, in the area of the Bucks Creek penstock. Grievant advised the other WSR that he was going to walk up the penstock to take pictures of the rock lodged against the penstock.

As the grievant approached the area of the lodged rock, he came upon a GC crew working in the area. The crew had already taken action to remove the rock. Grievant and the GC crew talked for a few minutes and then grievant returned to complete his assigned work.

Discussion

The Committee discussed the grievant's actions in relation to not following his supervisor's direction and the safety risks of not notifying the Switching Center of his presence around the penstock. While the Company believes that the supervisor's direction on November 21, 2013, to grievant not go up the Bucks Creek penstock was clearly communicated, the grievant indicated he understood his supervisor's direction to be not to go up the penstock to remove the rock, not that he should not go up the penstock at all. Grievant stated at the LIC that his intention was to take a picture of the position of the rock in order to provide his supervisor with photos that would assist him in devising an appropriate plan to remove the rock.

In regards to his not notifying the Switching Center of his whereabouts on the penstock, the Committee agreed that the grievant should have contacted the Switching Center to make them aware of his presence. The GC crew was not aware the grievant was in the area nor was grievant aware of the GC crews presence above him, creating a potentially unsafe situation. The Committee noted the common practice was to contact the Switching Center but it is not a documented procedure.

Decision

The Committee discussed at length the grievant's years of service (35 years), no active PD at the time of the incident, the lack of documented procedures for contacting the Switching Center, and grievant's stated understanding of his supervisor's direction. The Committee agrees to reduce the DML to a Written Reminder and is considered closed with no further adjustment.

Robin Wix 8/25/14
Robin Wix, Chairman Date
Review Committee

F.E. (Ed) Dwyer Jr. 8/25/14
F.E. (Ed) Dwyer Jr, Secretary Date
Review Committee