



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(650) 598-7567

DOUG VEADER, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

RECEIVED by LU 1245 September 27, 2011
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

F.E. (ED) DWYER Jr, SECRETARY

Pre-Review Committee Number 20560 Electric Operations – GC Station – San Francisco

Michelle Lee
Company Member
Local Investigating Committee

Landis Marttila
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a discharge for sending threatening text messages and making inappropriate and threatening comments directed at co-workers.

Facts of the Case

The grievant was a Utility Worker with 3 years of service and an active coaching and counseling at the time of discharge.

The grievant's supervisor was contacted by an employee who expressed concerns over threats made by the grievant. A Security Department investigation was initiated and determined that the grievant sent threatening text messages and made inappropriate and threatening comments.

The grievant admitted sending the text messages, but denied making the comments. He indicated that he tries to control his mouth and that he may have made threatening comments before entering a chemical dependency program in 2008, but has not made any since then. The grievant received training on the Code of Conduct on August 10, 2010.

Discussion

The Company pointed out that multiple witnesses stated that the grievant made threats of violence towards another individual. The grievant's text messages also clearly threaten this same individual. The witness statements paint a consistent picture that the grievant regularly used profanity, made inappropriate comments regarding national origin and sexual orientation, bragged over his weapons expertise, and openly expressed his dislike for the individual he threatened to harm.

The Union stated that it does not agree that an employee who makes a threat of violence may be automatically terminated. In this case, however, the grievant is a short service employee who made multiple threats confirmed by multiple employees.

Decision

The Committee agrees the discharge was for just cause and closes this case without adjustment. This settlement is made without prejudice to the positions of the parties regarding whether a threat of violence is grounds for automatic discharge.

Doug Veader, Chairman
Review Committee

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

Doug Veader 9/27/11
Date

Ed Dwyer 9/27/2011
Date