

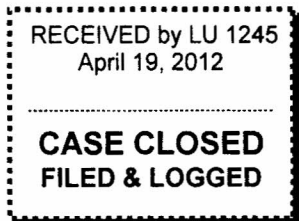


## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 2547  
VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

DOUG VEADER, CHAIRMAN  
□ DECISION  
□ LETTER DECISION  
□ PRE-REVIEW REFERRAL

F. E. (ED) DWYER Jr., SECRETARY

### Pre-Review Committee Number 21242 Gas Operations – Gas T&D – Santa Rosa

Deanna Helms  
Company Member  
Local Investigating Committee

JV Macor  
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 an Apprentice Fitter with 20 years of service. At the time of the incident he had no active Positive Discipline. This was the only safety incident in the grievant's 20 year career.

The grievant was backing up a dump truck into a parking spot on the side of a narrow street. He was parallel parking and utilized a spotter to guide him back. As he was backing, the back of his vehicle moved to the right towards the curb while the front of his vehicle moved left towards the other side of the street.

While the grievant was focused on the spotter positioned on the passenger side of the truck, his front left tire contacted a vehicle parked on the left side of the street. There was damage to the third party vehicle's rear quarter panel and no damage to the Company truck.

#### Discussion

The Company argued that the grievant was responsible for a backing accident. Backing accidents have typically resulted in Written Reminders. In the past year alone, the P-RC has upheld backing accident Written Reminders in, P-RC 20070, P-RC 20695 and P-RC 21043.

The Union argued that while backing accidents have typically resulted in Written Reminders, the Company has also issued Oral Reminders depending upon the circumstances. Discipline is based on the circumstances of each backing accident. In P-RC 18280 and P-RC 19393, the parties agreed to mitigate Written Reminders to Oral Reminders.

The Union further argued that Letter Agreement 10-36 requires that an employee's overall safety record be considered in determining disciplinary action due to safety violations. Given the grievant's

20 year perfect safety record and the circumstances of this incident, an Oral Reminder is the appropriate level of discipline.

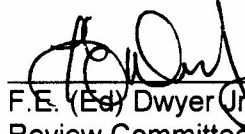
Finally, the Union opined that the circumstances of this backing accident are different than most seen at P-RC. In many cases there is an alternative to backing. In this case, the grievant was backing as planned for the job (he was positioning the truck to allow the backhoe to dump the soil directly into the bed of the truck). Additionally, the grievant followed the requirement to utilize a spotter. The grievant was trying to work safely by following the safety rules for backing, he simply made an error.

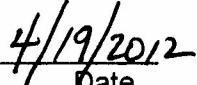
**Decision**

The Committee agrees disciplinary action was warranted as the grievant is responsible for the accident. In consideration of the grievant's 20 year perfect safety record combined with the circumstances specific to this incident, the Committee agrees the discipline should be mitigated to an Oral Reminder. This case is closed without further adjustment.

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

  
\_\_\_\_\_  
Date

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

  
\_\_\_\_\_  
Date