



REVIEW COMMITTEE



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

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

RECEIVED by LU 1245
March 11, 2013

**CASE CLOSED
FILED & LOGGED**

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

Pre-Review Committee Number 21321 Gas Operations – Gas T&D – Fresno

Monica Oakes
Company Member
Local Investigating Committee

Mike Grill
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Written Reminder issued to a Fieldperson for a motor vehicle incident.

Facts of the Case

The grievant is a Fieldperson with three years of service. At the time of the incident, he had no active disciplinary action.

Discussion


This motor vehicle incident occurred before the Company implemented its new approach to safety-related discipline. In Letter Agreement 13-05, the parties agreed to review open safety related discipline grievances and re-evaluate the discipline in light of the new safety principles. Where it is determined that the discipline is not consistent with the new principles, the discipline is to be adjusted and the grievance closed without prejudice.

Decision

The Committee agrees, in accordance with Letter Agreement 13-05, the discipline will be adjusted to a safety discussion without prejudice.

 3/7/13

 Doug Veader, Chairman
 Review Committee

 3/7/2013

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



LETTER AGREEMENT NO. 13-05-PGE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS AND HUMAN RESOURCES DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CALIFORNIA 94177
(415) 973-4310
STEPHEN RAYBURN
DIRECTOR AND CHIEF NEGOTIATOR

INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
TOM DALZELL
BUSINESS MANAGER

January 28, 2013

Mr. Tom Dalzell, Business Manager
Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P.O. Box 2547
Vacaville, CA 95696

Dear Mr. Dalzell:

In support of making safety the most fundamental and critical element of how we conduct our business, the Company has developed new safety principles. These principles emphasize building a trust based culture, encouraging open and honest communication, understanding underlying causes in order to prevent recurrence, treating safety incidents as learning opportunities, increasing recognition and rewarding of safe behavior, and adopting a behavior-based approach to discipline which decreases the emphasis on discipline.

Under these new principles, discipline for safety-related incidents will only be considered when an employee acts in a reckless manner, demonstrates a pattern of carelessness or non-compliance, puts themselves, their co-workers or the public at risk by intentionally violating a Key to Life, or violates the Code of Conduct.

The parties met recently to discuss the new safety principles, and in particular, the limited role of discipline and the use of a behavior based approach. In the implementation of this new approach, the parties agree to the following as it relates to safety-related incidents.

1. Non-disciplinary safety discussions are the preferred approach to learn from an incident and develop positive approaches for eliminating similar incidents. These one-on-one discussions are opportunities for open and honest discussion of safety incidents with a focus on understanding and learning. Safety discussions are not considered as discipline or coaching and counselings under the Positive Discipline Agreement.
2. The parties agree that discipline for safety-related incidents will only be considered when an employee acts in a reckless manner, demonstrates a pattern of carelessness or non-compliance, puts themselves, their co-workers or the public at risk by intentionally violating a Key to Life, or violates the Code of Conduct.
3. Although there will be significantly less disciplinary action issued with this approach, the Union recognizes the Company's right to issue discipline and discharge for safety related incidents on the basis set forth above. The Union reserves the right to grieve any discipline or demotion.

- 4. The parties agree to review open grievances involving safety related discipline issued to current employees prior to the implementation of the safety principles. Where it is determined that the discipline is inconsistent with the new safety principles, the discipline will be adjusted and the grievance will be closed on a non-precedential basis without prejudice.
- 5. During the 2011-2012 General Negotiations, the parties agreed to explore modification of the application of Positive Discipline to safety incidents. The new approach implemented by the Company, along with the understandings reached in this letter agreement fulfills the parties' intent to reduce the use of discipline while holding accountable employees with poor safety records. With this modified approach, the parties also agree to cancel Letter Agreement 10-36.

Either party may cancel this agreement by providing the other party 30 days written notice.

If you are in accord with the foregoing and agree thereto, please so indicate in the space provided below and return one executed copy of this letter to the Company.

Very truly yours,

PACIFIC GAS & ELECTRIC COMPANY


By: 

 Stephen A. Rayburn
 Director and Chief Negotiator

The Union is in accord with the foregoing and agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

_____ February 14, 2013

By: 

 Tom Dalzell
 Business Manager