



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
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DOUG VEADER, CHAIRMAN

F. E. (ED) DWYER Jr, SECRETARY

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee Number 22147 Gas Operations – Field Services – Antioch

Brenda Legge
Company Member
Local Investigating Committee

Anthony Brown
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Decision Making Leave (DML) issued for driving without wearing a seat belt and talking on a cell phone without a hands-free device.

Facts of the Case

The grievant is a Gas Service Representative (GSR) with nine years of service and no active Positive Discipline at the time of the incident. The grievant was cited by the California Highway Patrol (CHP) for driving without a seat belt and for operating a cell phone without a hands-free device.

According to the grievant, after getting out at the wrong street address, she got back into her Company vehicle to drive to the correct address. She did not put on her seat belt. As she proceeded driving, the Company cell phone rang and she answered it on the speaker phone. It was the temporary supervisor calling her to let her know that the Company had received a complaint the day before about her driving at 75 mph. During the conversation, the grievant moved the cell phone to her ear to continue the conversation. She was then pulled over by the CHP and cited.

According to the temporary supervisor, when he called the grievant, he assumed she was at her first job. He noticed a lot of background noise and asked her if she was driving. The grievant replied no, that she was stopped and said to go on. The phone records indicate that the phone conversation lasted for two minutes.

Discussion

There is no dispute that the grievant violated the seat belt and hands-free laws. The grievant did not indicate why she did not use her seat belt, but did indicate that her blue-tooth was broken and did not request a replacement. Even though the distance she drove was less than ½ mile, the law does not make exceptions when driving short distances.

Decision

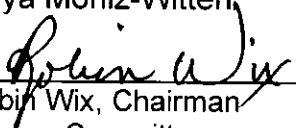
The Committee agrees the DML was issued for just cause. This case is closed without adjustment.

For the Company:

Laura Sellheim

Rod Williams

Tanya Moniz-Witten



Robin Wix, Chairman
Review Committee



Date

For the Union:

Jim Brager

John Blaylock

Karen Russell



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



Date