



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W.
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ROBIN WIX, CHAIRMAN
☐ DECISION
☐ LETTER DECISION
☐ PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Pre-Review Committee Number 22719 Customer Care – Call Center Operations – Fresno

Chris Diamond
Company Member
Local Investigating Committee

Gracie Clark
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the termination of a Customer Service Representative for overall unavailability and failure to return to work or submit completed leave of absence paperwork for a continued medical leave.

Facts of the Case

The grievant was a Customer Service Representative with 6 years of service with no active discipline at the time of her termination.

The grievant was on an approved medical leave of absence ending May 31, 2014, with an expected return date of June 1, 2014. The grievant failed to report to work on June 1, 2014, and did not contact her supervisor as to her status. Between June 1st and her termination date, the grievant failed to follow the appropriate daily notification of her status while she continued to be off work on unapproved status. The grievant had been informed in writing that her request for a leave of absence extension beyond May 31st was initially denied due to insufficient information. The grievant failed to submit the additional required information and she was provided a final denial for a leave of absence extension. The grievant was also sent a 10 day letter on July 11, 2014, advising her that she must be on an approved leave of absence or return to work by July 28, 2014, or her employment would be terminated.

The grievant stated at the Local Investigating Committee meeting that she did not follow-up on the required paperwork sooner because "I assumed my doctor's office and my case manager were doing their jobs, I never followed up." When asked who was responsible to make sure the proper paperwork was submitted and received for approval, the grievant acknowledged that "it was mine." The grievant did not provide the required paperwork or return to work by July 28, 2014, and was terminated effective August 15, 2014.

Discussion

The Union argued that the grievant believed her doctor was providing the medical leave paperwork for an extension to October 1, 2014, as required and therefore the grievant should not have been terminated. Additionally, the grievant obtained a release to return to work on August 14, 2014, and the Company did not consider her release prior to her termination.

The Company argued that the grievant was provided written documentation regarding her employment status and the requirement that she be on an approved medical leave or return to work no later than July 28, 2014 or she would be administratively terminated. The grievant failed to comply by the deadline and was terminated. The Company further argued that the grievant was well aware of the requirements as outlined in the 10 day letter as she had been provided a 10 day letter in March when her previous medical leave period expired and she complied with the requirements by having her doctor complete and submit the necessary paperwork to extend her leave of absence prior to the deadline at that time. This demonstrates the grievant's knowledge of the process and requirements as outlined in the 10 day letter.

Decision

Following much discussion, the Committee agreed the termination was for just cause. This case is closed without adjustment.

Robin Wix 9/16/15
Robin Wix, Chairman Date
Review Committee

Kit Stice 9/16/15
Kit Stice, Secretary Date
Review Committee