



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
375 N. WIGET LANE, SUITE 130
WALNUT CREEK, CA 94598
(530) 246-6430

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

CLAIRE IANDOLI, CHAIRPERSON

KIT STICE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Pre-Review Committee Number 24367 Gas Operations – Gas Pipeline O&M – Los Medanos

Brenda Legge
Company Member
Local Investigating Committee

Mike Adayan
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the termination of a Station Operator who violated the Code of Conduct by falsifying his timecards regarding his jury duty status and failing to cooperate in an investigation.

Facts of the Case

Grievant was hired on 6/23/14 as a Station Operator for the Los Medanos Gas Field Operations.

Grievant was summoned by the Solano County Superior Court to serve on jury duty on 8/3/17 at 8:00 a.m. Grievant was released from jury duty by the Court at approximately 9:00 a.m. that same morning.

On 8/3/17, Grievant sent his Supervisor a text message indicating the following, "got picked...have to come back at 8am tomorrow."

Grievant submitted his timecards on 8/3 and 8/4 indicating "Jury Duty."

On 8/4/17, the Supervisor called the Court to inquire about Grievant's status and was informed that Grievant was released the previous day and was not picked for jury duty. The Court also sent a letter to the Supervisor confirming Grievant's release from jury duty as stated above.

On 8/10/17, Grievant was asked during an investigatory interview what time he was released from Court on 8/3 and he said "sometime after 3:00 p.m." and when asked what time he reported to Court on 8/4 he responded "8:00 a.m." Grievant also confirmed, during a separate

phone conversation with his Supervisor after the investigatory meeting, he had been truthful during the interview.

On 9/14/17, Grievant was confronted with the letter from the Court; the Grievant claimed the Court must have incorrect information. Grievant was subsequently terminated on 10/11/17.

Discussion

The Company relied upon Pre-Review Committee Decision 22125, which upheld the discharge of a Lineman for failing to report back to work for jury duty as instructed, falsifying his timecards and failing to cooperate in an investigation. The facts in this case are nearly identical.

The Union argued that Grievant was a veteran who had a friend in the military who had passed away recently. The Union acknowledges that Grievant made an error in judgment but asserts that termination is too harsh a punishment.

Decision

The Committee discussed this case at length and agreed that Grievant violated the Code of Conduct by falsifying his timecards, not returning to work after being released from jury duty and providing false statements during the investigative interview. This case is closed without adjustment.

Claire Ica 7/19/18
Claire Iandoli, Chairperson Date
Review Committee

Kit Stice 7-19-18
Kit Stice, Secretary Date
Review Committee