



PRE-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.
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VACAVILLE, CALIFORNIA 94696
(707) 452-2700

DYLAN GOTTFRIED, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Pre-Review Committee Number 24676 Gas Operations—T&D Construction- Vacaville

Jodeane Fischer
Company Member
Local Investigating Committee

Mike Saner
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the termination of a Construction Operator for non-compliance with the DOT first time violator policy.

Facts of the Case

The Grievant had self-identified to EAP and was placed in the DOT first time violator program. The Grievant was subsequently referred to several treatments programs but was ultimately unsuccessful.

Discussion:

The Union did not dispute the facts of the case and the failure of the Grievant to successfully complete the prescribed treatment plan. The Union opined that the Grievant was not notified of non-compliance on his third non-compliance, thus violating LOA 04-16 which states that "failure to fully comply with EAP's recommendations within 3 days after written notification of non-compliance will result in discharge."

The Company argued that the LOA 04-16 does not say that the Company must give written notification on each non-compliance, rather only notification. If a non-compliance is issued and there are failures of non-compliance this will result in discharge.

Decision

The Committee agrees that the termination was issued for just cause. This case is closed.

For the Company:



Dylan Gottfried, Chairperson Date
Review Committee 5-15-19

For the Union:



Kit Stice, Secretary Date
Review Committee 5-15-19