



## 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.  
P.O. BOX 2547  
VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

KATHY LEDBETTER, CHAIRPERSON

LLOYD CARGO, SECRETARY

### **Pre - Review Committee Number 24864 Electric Operations – Substation – Moss Landing**

Yvonne Bradley  
Company Member  
Local Investigating Committee

Casey Barker  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the termination of a Provisional Electrician-Switching for violating the Employee Code of Conduct in regard to misconduct during a training course as well as violations of the Violence Free Workplace policy.

#### Facts of the Case

The Grievant was a Provisional Electrician-Switching with approximately 15 months of service and no active discipline at the time of his termination. The Grievant had been the subject of a Company Corporate Security investigation that determined he had several issues of misconduct while taking training course examinations. In addition, the investigation also determined that he had exhibited threatening behavior toward his co-workers.

#### Discussion

The Company maintained that the investigation found several incidents where the Grievant was able to obtain knowledge from unauthorized materials and then utilize it during the test taking process. Specifically, on one occasion he retook a test without authorization and with access to his phone and material still on his desk. He then took the test significantly faster than anyone else had ever done so.

In addition, Company noted that the Grievant had made various remarks to a number of co-workers that caused them to be fearful of reporting the Grievant. These included comments involving physically harming others and his violent behavior that he posted on his Facebook page.

The Union stated that the investigation in this case relied overwhelmingly on testimony of witnesses and not specific facts. The Company should not have reached the decision to terminate without additional facts or verification of the witness testimony.

Decision

The Company and Union agree that given the preponderance of the evidence in this case, the termination was appropriate and for just cause. This case is settled without adjustment and considered closed.

**For the Company:**

**For the Union:**

 05/20/2020

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Kathy Ledbetter, Chairperson      Date  
Review Committee

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Lloyd Cargo, Secretary      Date  
Review Committee