



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
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KATHY LEDBETTER, CHAIRPERSON

LLOYD CARGO, SECRETARY

Pre-Review Committee Nos. 24910 25405 Gas Operation – GC Gas – Oakland

Deborah Harper
Company Member
Local Investigating Committee

Mike Adayan
Union Member
Local Investigating Committee

Subject of the Grievances

These cases concern a Decision Making Leave and subsequent termination of a GC Gas Backhoe Operator.

Facts of the Cases

PRC No. 24910

In June 2018, the Company's Corporate Security Department began an investigation into workplace allegations related to the Grievant. In July 2018, the Grievant was involved in an altercation with at least one other employee. The Corporate Security investigation determined that the Grievant had engaged in various acts of intimidation and harassment as well as substantiated that his actions contributed to the July 2018 incident. Based upon the findings, the Grievant was issued a Decision Making Leave.

PRC No. 25405

The Grievant was terminated for a DOT Positive test result given the active Decision Making Leave in the above case.

Discussion

The Committee reviewed both the testimony provided by the Grievant and witness as to the events in PRC No. 24910 as well as a security video the day of the altercation. This video showed the employee activities in the parking lot of the facility but not inside. While the Committee did not agree on the specific roles played by each employee involved in the altercation, it was clear that the Grievant had acted inappropriately in this case.

The Committee also noted that the facts contained in PRC No 25405 are not in question.

Decision

The Pre-Review Committee agreed that in PRC No. 24910 the department employees had faced harassment and intimidating behavior from the Grievant in 2018 and that in July 2018, the Grievant was at a minimum an active participant in an altercation at the yard. This behavior is extremely serious and must not be taken lightly. Given the above specific facts in this case, the Decision Making Leave was appropriate and for just cause.

As the Pre-Review Committee agreed on the Decision Making Leave, the Committee also agreed that the discharge for a DOT positive test result in PRC No. 25405 was also appropriate and for just and sufficient cause.


These cases are to be considered closed without adjustment based on the above.

For the Company:

For the Union:

 November 2, 2021

Kathy Ledbetter, Chairperson Date
Review Committee

 November 2, 2021

Lloyd Cargo, Secretary Date
Review Committee