



## REVIEW COMMITTEE



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 25467 Gas Operations – Gas Compliance - Fresno**

Deborah Harper  
Company Member  
Local Investigating Committee

Jim Brager  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This grievance concerns the termination of a Gas Compliance Representative for failure to follow work procedures.

#### Facts of the Case

At the time of the incidents in this case, the Grievant had been on an active Decision Making Leave (DML) in which he also failed to follow procedures. Following the DML, the Grievant was provided additional training on Locate & Mark procedures.

Approximately two months following the DML, the Grievant's failed a course and was unable to maintain his Operator Qualifications. The Company later conducted an audit of the Grievant's work. The Company found 3 incidents that, while not resulting in dig-ins, had a high potential for issues within the dig area. The Company investigation determined that the Grievant had several procedural violations in each of the incidents in this case.

#### Discussion

The Company maintained that the Grievant has not only demonstrated a continued pattern of carelessness but has also violated the Company's Code of Conduct by not properly documenting the work. These items were covered in an earlier training that the Grievant successfully completed. Both of these behaviors violate the Company's Safety Principles and the provisions Letter Agreement No. 13-05. Given his active DML and the above issues, the termination should be upheld.

The Union asserted that the Grievant was clearly not qualified for the position given his recent loss of Operator Qualifications and should have been demoted from the position instead of terminated from his employment.

Decision

The Committee agreed that given the continued work procedure and conduct violations following training and that the Grievant was also on an active Decision Making Leave for similar issues, that the termination was appropriate and for just cause.

This case should be considered closed based on the above.

**For the Company:**

 4/27/2021  
\_\_\_\_\_  
Kathy Ledbetter Date  
Chairperson, Review Committee

**For the Union:**

 4/26/2021  
\_\_\_\_\_  
Lloyd Cargo Date  
Secretary, Review Committee