



## 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

DAVE SANKEY, SECRETARY

### **Pre-Review Committee No. 25514 Electric Operations – Grid Control Operations – Vacaville**

Yvonne Wong Bradley  
Company Member  
Local Investigating Committee

Dave Sankey  
Union Member  
Local Investigating Committee

#### **Subject of the Grievance**

This case concerns the termination of a Vacaville System Operator for violations of the Company Code of Conduct which included false time entries.

#### **Facts of the Case**

A Company Corporate Security investigation determined that the Grievant had violated the PG&E Code of Conduct by falsifying timecards related to both straight and overtime work. Specifically, the investigation found that the Grievant had arrived late and/or left the workplace early at least 10 times over a month and a half timeframe. The time found falsely reported totaled approximately 4 hours of straight time and just less than 5 hours of overtime.

At the time of the termination, the Grievant had no active Positive Discipline.

#### **Discussion**

The Company maintained that the Grievant did not demonstrate any performance deficiency but had knowingly falsified his timecards which is a significant conduct violation. The reporting of time truthfully and accurately is an expectation set forth in the Code of Conduct for every employee. Further, prior precedent setting cases including PRC 24339 and 20762 have been clear that even in cases where the falsified time amount may be small, discharge was agreed to as appropriate.

The Union opined that there was no intent on the Grievant's part to defraud the company. In fact, the entire investigation took place as he came forward with a text message accusing him of this violation which he found concerning. Further, once put on notice his time reporting was in error, there were no additional instances of inaccurate timecards.

### **Decision**

While the Pre-Review Committee is in agreement that the falsification of time records is a serious offense, the parties could not reach agreement as to whether termination was the appropriate level in this case.


However, based on the specific facts of this case, the parties reached an equity settlement. The Grievant is to be reinstated as a System Operator at the Vacaville Grid Control Center Operations headquarters under the conditions listed below:

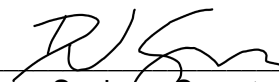
- The reinstatement will be following his successful completion of the pre-employment drug screen and if required FERC background check process. Failure to complete this process will result in the termination being upheld.
- Without backpay (straight time or overtime) or benefits for the time between his discharge and reinstatement.
- Upon return, his prior seniority date will be restored.
- He will be placed on a Decision Making Leave effective the first day of his return and it will remain active for a period of one year.
- Upon reinstatement will provide documentation of any continuing NERC Certification hours.
- Further, he will have Floating Holidays as well as any sick leave balance reinstated upon return but not be awarded any vacation.

This case is to be considered closed based on the above and is without prejudice toward either party and non-transferable and non-referrable toward other cases.

**For the Company:**

**For the Union:**

 06/13/2022  
Kathy Ledbetter, Chairperson      Date  
Review Committee

 06/13/2022  
Dave Sankey, Secretary      Date  
Review Committee