

PACIFIC GAS AND ELECTRIC COMPANY  
SAN FRANCISCO DIVISION  
LOCAL INVESTIGATING COMMITTEE FILE NO. 2-73-17  
UNION'S GRIEVANCE NO. 2-73-49  
RE: REVIEW COMMITTEE FILE NO. 1312

102.6(b)

5.3

SUBJECT OF GRIEVANCE:

The case involves the demotion of John L. Nunes from Gas Serviceman to Helper on August 8, 1973.

FACTS OF THE CASE:

This case was referred to the Review Committee on August 28, 1973. The Review Committee returned the case to the Division Local Investigating Committee for settlement in accordance with the following:

"The Joint Statement of Facts clearly indicates that the grievant's conduct was improper and the demotion was for just cause. However, in regard to the issue of whether or not the grievant will ever be allowed to return to his former classification, the Review Committee is of the opinion that Review Committee Decision No. 927 established a guideline as to if and when an employee can return to a classification held prior to a demotion. Therefore, the Review Committee recommends that the Local Investigating Committee review this decision and reach a settlement to this issue."

"This case is considered closed."

STATEMENT AND SETTLEMENT:

Subsequent to the Review Committee's instructions, the Local Investigating Committee has reviewed R.C. File No. 927 and applied the guidelines therein to this case and has reached the following decisions:

1. The District supervision will provide for systematic reviews of the grievant's job performance and conduct for a period of six months, commencing December 1, 1973 and ending May 31, 1974.
2. At the conclusion of the six months' period, the Local Investigating Committee, based on information supplied it by District supervision, will make a determination as to whether the grievant's conduct evidences that he can conduct himself in an appropriate and proper manner and if he can, he shall be reinstated as a Gas Serviceman on that date, provided he has a valid prebid on file and there is a Serviceman vacancy.

3. The grievant's reinstatement to Gas Serviceman will be on the condition that if he engages in any similar misconduct after that, he will be subject to demotion or discharge, whichever remedy is appropriate, without recourse to the grievance procedure, except to determine whether the evidence supports the conclusion of his involvement in the misconduct or, if the action taken is other than demotion, whether the action taken was appropriate under those facts.

*Frank A. Quadros*  
FRANK A. QUADROS, Union Member  
Local Investigating Committee  
Date: 1-15-74

*Glenn D. Lawson*  
GLENN D. LAWSON, Company Member  
Local Investigating Committee  
Date: January 15, 1974

Distribution:

- (1) Division Manager
- (1) Department Head
- (1) Chairman, Joint Griev. Comm.
- (1) Division Personnel Manager
- (1) Manager, Industrial Relations
- (3) L.I.C. Members

June 5, 1974

The Local Investigating Committee was furnished information by District Supervision regarding the grievant's work performance and his conduct on the job -- Reference Par. 2 of Statement and Settlement. Based on this information, it is the decision of the Committee that the grievant will report to the Service Department on June 10, 1974 and has been awarded a Serviceman's job vacancy - Job Vacancy 2:155.

CASE CLOSED

*Frank A. Quadros*  
FRANK A. QUADROS, Union Member  
Local Investigating Committee  
Date: 6-5-74

*Glenn D. Lawson*  
GLENN D. LAWSON, Company Member  
Local Investigating Committee  
Date: 6-5-74