

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
245 MARKET STREET, ROOM 444
SAN FRANCISCO, CALIFORNIA 94106
(415) 781-4211, EXTENSION 1125

IBEW



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
L.N. FOSS, SECRETARY

L.V. BROWN, CHAIRMAN

DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Review Committee File No. 1399-76-3
North Bay Division Grievance No. 4-12-76-12
Employee Misconduct Standard Practice

May 24, 1976

MR. R. T. BUFKIN, Company Member
North Bay Division
Local Investigating Committee

MR. C. L. WHEELER, Union Member
North Bay Division
Local Investigating Committee

The unresolved issue in the above-subject grievance has been submitted to Ad Hoc Negotiations for settlement.

The grievance has been removed from the agenda of the Review Committee, and the Ad Hoc Negotiating Committee will notify your Committee of their results.

L. V. BROWN, Chairman
Review Committee

L. N. FOSS, Secretary
Review Committee

DJBergman:rto

cc: JGFoster
IWBonbright
JAFairchild
PMatthew
EAPetterle

Local Union 1245

International Brotherhood
Electrical Workers



(3063 CITRUS CIRCLE) • P.O. BOX 4790, WALNUT CREEK, CALIFORNIA 94596 • (415) 933-6060

November 15, 1977

Mr. I. W. Bonbright
Manager of Industrial Relations
Pacific Gas and Electric Company
245 Market Street, Room 444
San Francisco, California 94106

Dear Mr. Bonbright:

Thank you for sending us a revised copy of the Standard Practice on Employee Conduct (No. 735.6-1).

The Union is in total agreement with the concept regarding "fundamental honesty" as set forth in the first sentence of the Statement of Policy on page 1 of the Standard Practice.

We do, however, disagree with a number of points covered in the Standard Practice. Some of the items we disagree with are, but not limited to, the following:

- (1) Item 5, page 2, Types of Misconduct, refers to ".....on or off the job which involves an alleged or proven criminal act, whether or not the employee is arrested;.....". We are confused as to how a number of "off the job" incidents could possibly have a bearing on a person's employment, and in addition, we have a major concern with the use of the word "alleged". The U. S. justice system is based on the important tenet that a person is innocent until proven guilty, and we are confident that it is not Company's intent to treat its employees with any less consideration.
- (2) Item 8 under examples of violations on the Supplement page is clearly covered in the collective bargaining agreement (including the penalty for violation).

Regardless of the Standard Practice, the Labor Agreement will prevail and the Union will continue to pursue grievances in the same responsible manner as we have done in the past.

Very truly yours,

Dean Cofer

Dean Cofer
Business Manager

DC/mlm
cc: Administrative & Field Staff

RECEIVED 11/21/77

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PACIFIC GAS AND ELECTRIC COMPANY

245 MARKET STREET • SAN FRANCISCO, CALIFORNIA 94106 • (415) 781-4211 • TWX 910-373-6657

I. WAYLAND BONBRIGHT
MANAGER
INDUSTRIAL RELATIONS

November 21, 1977

Mr. Dean Cofer, Business Manager
Local Union No. 1245, I.B.E.W., AFL-CIO
P. O. Box 4790
Walnut Creek, California 94596

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Dear Mr. Cofer:

Thank you for your comments with respect to the Standard Practice on Employee Conduct.

In issuing the Standard Practice, we, of course, assumed that the Union would continue to represent the members of its bargaining units where it had reason to believe that Company's action was improper, precipitous, etc. In fact, the revision of the Standard Practice specifically alludes to this matter. Item 3 on the first page, which reads as follows: "This Standard Practice applies to all Company or subsidiary Company employees, subject to the provisions of any labor agreement delineating a grievance procedure applicable to employees represented by a labor union."

With respect to your comments on Item 5, it should be remembered that Item 5 is part of the reporting procedure and does not purport to establish the guilt or innocence of any employee about which the report is written, but is designed to make information on allegations, arrests, etc., available to those specific officers and managers who may need such information as the basis of a future decision. We agree that in the law courts, at least, a person is presumed innocent until proven guilty. We do our best to operate on the same premise in our disciplinary system within the Company.

With respect to your Item 2, I assume that you refer to the eighth item under the heading of "Company Funds, Securities, Payment Papers - " on the first page of the Supplement, which reads in its entirety: "Taking time off for personal reasons and reporting it as sick leave." We assume you are referring to Section 112.8 of the Physical Agreement and Section 7.8 of the Clerical Agreement. With respect to this, I again refer you to my comments with respect to Item 3 of the Standard Practice and would also like to point out that the Supplement is a list of some of the items which the Company considers to be misconduct and does not purport to spell out what disciplinary action, if any, would be taken in each case.

Yours very truly,



IWB:RS