

REVIEW COMMITTEE

PG and E

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

D.J. BERGMAN, CHAIRMAN

104.12(d) Item VII

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

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Review Committee File No. 1422-77-9
Humboldt Division Grievance No. 19-50-77-15
Disciplinary Layoff, Relief Senior Control Operator

September 22, 1977

MR. W. J. EDDY, Company Member
Humboldt Division
Local Investigating Committee

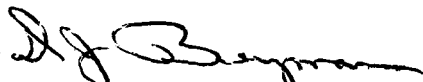
MR. D. L. MITCHELL, Union Member
Humboldt Division
Local Investigating Committee

The above-subject grievance has been discussed by the Review Committee and is being returned to the Division for settlement in accordance with the following:

The grievance concerns the one-day disciplinary layoff and letter of reprimand to the grievant, Relief Senior Control Operator, Humboldt Bay Power Plant, for insubordination. The grievant was assigned the 12 midnight-8:00 AM shift on March 31, 1977, and was held over for prearranged overtime from 8:00 AM-12:00 noon on March 31. The grievant, at approximately 9:30 AM, inquired of his supervisor about his meal entitlement, pursuant to Subsection 104.12(d) of the Agreement, his contention being that he was entitled to a meal and intended to leave the plant to obtain the meal. The supervisor instructed the grievant that he could not release him but alternate arrangements were available under the Agreement, e.g., delaying the meal until his release at 12:00 noon or a meal could be brought into the plant. The grievant declined either alternative. Although he was ordered not to leave the plant, he left and returned at approximately 10:10 AM with a meal receipt for reimbursement for the meal. He was subsequently suspended for one day without pay.

At the outset, the Review Committee agrees that the question of the meal entitlement is not at issue inasmuch as this subject has been discussed in prior Humboldt Division grievances, and it is the Review Committee's understanding that this grievance has been resolved. However, for clarification, the Review Committee agrees that Subsection 104.12(d) is applicable in the situation at hand. Setting aside the meal question, the issue then becomes one of self-help vs. the grievance procedure. The grievant clearly resorted to self-help as opposed to relying upon the grievance procedure to resolve the issue. The grievant's reasons for leaving the plant property was primarily intended to bring this problem to a head once and for all. The Review Committee agrees, as it has in cases of the same type of conduct, that resort to "self-help" for these purposes is inappropriate, and the disciplinary layoff was for just and proper cause.

This case is considered closed without adjustment and should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



L. N. FOSS, Secretary
Review Committee

DJB:rto

cc: GFClifton, Jr.
IWBonbright
LVBrown

JAFairchild
FCBuchholz
Personnel Managers