

REVIEW COMMITTEE**PG and E**

PACIFIC GAS AND ELECTRIC COMPANY
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CASE CLOSED
LOGGED AND FILED
 DEC 10 1981

IBEW 

INTERNATIONAL BROTHERHOOD OF
 ELECTRICAL WORKERS, AFL-CIO
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 R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

REVIEW COMMITTEE DECISION

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL
- General Construction Grievance No. 3-952-81-56
 Review Committee File No. 1528-81-12

Statement of the Case

This case concerns a five-day disciplinary layoff and letter of reprimand to a short service employee, a Field Clerk in General Construction headquartered at Diablo Canyon Power Plant.

On Wednesday, April 1, 1981, while driving his personal vehicle to work on the Diablo Canyon Power Plant access road, he was clocked in excess of 50 MPH. Later in the day, while driving a Company vehicle outgoing on the access road, he was clocked in excess of 60 MPH; and the posted speed limit on the road is 40 MPH. As a result of this and previous offenses, he was given the five-day disciplinary layoff for violation of established project rules and had his driving pass suspended for two months.

Facts of the Case

In reviewing the Joint Statement of Facts, the Review Committee noted the following: 1) On February 5, 1980, the grievant's vehicle pass was revoked for 30 days for speeding on the Diablo Canyon access road in his personal vehicle and for driving against the directional arrows in the parking lot in his personal vehicle. 2) On March 12, 1981, the grievant was observed speeding on the access road in a Company vehicle. Later in the day, a third party called the Company and alleged that grievant was speeding and passing in an unsafe manner near Avila Beach in a Company vehicle. 3) On March 16, 1981, the grievant was observed backing his personal automobile against the directional arrows almost the entire length of the parking lot, in violation of previous instructions. 4) On March 18, 1981, the grievant received a letter of reprimand for the incidents of March 12 and 16, 1981 in which the grievant's entire Company driving record was reviewed. This reprimand letter concluded by informing the grievant that further violations would lead to more severe discipline. This letter was not grieved. 5) On April 1, 1981, the grievant was observed twice speeding on the access road which resulted in a letter of reprimand and five-day disciplinary layoff which is the subject of this grievance. 6) The Review Committee was presented at the October 23, 1981 meeting a copy of the grievant's driving record obtained from the Department of Motor Vehicles. The information indicates that the grievant had been convicted of several moving violations between May of 1979 and July 1981, including violations such as crossing double lines, speeding while passing (two instances), following too closely, failure to stop at stop sign, and reckless driving.

Discussion

At the outset of discussion, Union's members of the Review Committee were opposed to the severity of the disciplinary layoff. In view of the published rules for violating the access road speed limit and based on the tenets of progressive discipline, the Union's members felt that the discipline levied by Company in this case was unusual and unnecessarily severe. However, both Company and Union members of the Committee did agree that the offenses were serious and that some form of severe discipline was needed to make the grievant aware of this fact inasmuch as steps taken by Company to that point had no demonstrable effect on the grievant.

With the introduction of the grievant's California Driver's Information Record, which indicated an off-the-job record of further driving violations, the Union's members reluctantly agreed that this was a case which warranted unusually severe discipline.

Decision

The Review Committee agrees that the five-day disciplinary layoff in this case is justified on the circumstances. The Committee further agrees that this decision in no way will set a precedent.

This case is considered closed.

FOR COMPANY:

L. C. Beanland
F. C. Buchholz
J. B. Stoutamore
D. J. Bergman

By *Dan J. Bergman*

Date 12-8-81

FOR UNION:

G. W. Abrahamson
W. H. Burr
P. Pelucca
R. W. Stalcup

By *Roger Stalcup*

Date 12/8/81