

7.1 -Discharge mitigated -
Electrician reinstated
w/o back pay.



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
215 MARKET STREET, ROOM 916
SAN FRANCISCO, CALIFORNIA 94106
(415) 973-1125

DEC 21 1993

**CASE CLOSED
LOGGED AND FILED**

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
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

RECEIVED DEC 20 1993

REVIEW COMMITTEE DECISION

**REVIEW COMMITTEE FILE NO. 1761-93-9
STEAM GENERATION GRIEVANCE NOS. GPP-92-16 AND GPP-92-22**

LAURA HENRY, Company Member
Local Investigating Committee

BOB CHOATE, Union Member
Local Investigating Committee

SUBJECT OF THE GRIEVANCE:

The grievant, an Electrician was issued a Decision Making Leave for sleeping on the job and Discharged less than three months later for work performance, improperly wiring a receptacle resulting in damage to company property.

FACTS OF THE CASE:

The grievant has an employment date of October 29, 1974 and has been an Electrician since May 4, 1977. The employee received a Written Reminder on February 4, 1992 for Work Performance, Coached and Counseled on February 23, 1992 for Work Performance, issued a Decision Making Leave on August 27, 1992 for Work Performance, Coached and Counseled on October 5, for Work Performance and Discharged on November 2, 1992 for Work Performance.

Grievance No. GPP-92-16 (DML):

The grievant was called at home at approximately 10:00 p.m. on August 19, 1992 to come into work on an emergency overtime assignment. The grievant asked the supervisor to call someone else, stating that he was too tired to come in for the overtime assignment. Over the next hour, the supervisor called the grievant several more times indicating that no one else was available. At one point, the grievant provided the supervisor with the names of other Electricians that may have been available to work. Finally, the grievant reported to work emergency overtime with another Electrician and two Utility Workers.

At approximately 2:30 a.m. the grievant was observed by the supervisor in the Control Room asleep. The supervisor woke the grievant up and asked if he was all right. The grievant told the supervisor that he was fine and was then given another assignment by the supervisor.

At approximately 5:00 a.m. the supervisor went to check on the work in progress and could not find the grievant in the immediate work area. The supervisor found the grievant asleep in his truck that was parked in the turbine bay a short distance from the work area. The supervisor woke the grievant and again asked him if he was too tired to work. The grievant said he was fine and went back to work. At 6:30 a.m. the grievant was sent home by the supervisor while the other Electrician and two Helpers continued to work.

At approximately 5:00 am, when the supervisor found the grievant in his truck, a Utility Worker was also resting in a vehicle in the same area where the grievant was found sleeping. The Utility Worker had permission from the other journeyman. He stated he was feeling nauseous from the cleaning solution they were using. The Utility Worker received no discipline.

On August 27, 1992, the grievant was issued a Decision Making Leave for sleeping on the job on August 19.

Grievance No. GPP-92-22 (Discharge):

The grievant was assigned to install a receptacle in the West Geysers Warehouse for the installation of a personal computer. When the personal computer was plugged in the power supply unit blew out. It was later determined that the receptacle was wired to a single phase 480V circuit. The grievant failed to properly check the power source.

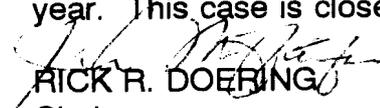
DISCUSSION:

The committee discussed the DML at great length. The focus was on the fact that the grievant continued to work even after the supervisor observed him twice on the job sleeping. The employee told the company when he was called that he was tired and to find someone else. It should have been apparent to the supervisor that this type of behavior, sleeping on the job, should warrant sending the employee home. The supervisor however continued to work the employee. The employee also has a responsibility to tell the supervisor when he is unable to perform due to fatigue.

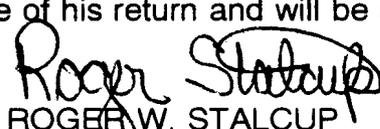
DISPOSITION:

The committee agreed that the incident which resulted in the discharge was warranted discipline, however the sleeping on the job that resulted in the DML should be reduced to a coaching and counseling.

The committee agreed that the grievant will be reinstated to his former classification and headquarters without back pay but with service and benefits intact. Upon his return will be issued a DML for work performance effective the date of his return and will be active for one year. This case is closed without further adjustment.


RICK R. DOERING
Chairman
Review Committee

12/15/93
Date


ROGER W. STALCUP
Secretary
Review Committee

12/16/93
Date