

7.1; Exh. XVII: A San Luis Obispo Meter Reader was discharge for short-dialing or curbing. If he submitted a DOT negative result, will be reinstated with 50% backpay and Benefits intact, except for vacation forfeiture.



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MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

REVIEW COMMITTEE

RECEIVED by LU 1245
February 15, 2006

**CASE CLOSED
FILED & LOGGED**

IBEW



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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SALIM A. TAMIMI, SECRETARY

REVIEW COMMITTEE No. 15886 Customer Field Services – Meter Reading – San Luis Obispo

Melanie Curry
Company Member
Local Investigating Committee

Mike Haentjens
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of a Sr. Meter Reader for short-dialing a meter.

Facts of the Case

The grievant has been a Meter Reader for approximately five years and an employee for about 15 years. At the time of discharge, he had no active discipline but did have an active coaching and counseling for a questionable read.

The termination was based on a single meter that was read as follows:

12/7/04	68841	Read correctly by the grievant
1/6/05	29288	Read incorrectly by the grievant
2/4/05	29769	Read incorrectly by the grievant
3/8/05	70490	Read correctly by another SrMR due to Help Ticket
4/6/05	71170	Read correctly by the grievant

Discussion

Company stated that in January, the grievant received a double beep from the datacap indicating his read was outside of the acceptable range. When that happens, the Meter Reader is to look at the meter again to verify the read and the meter number. This read was so far out of range, a records clerk issued a Help Ticket to check the read. That occurred on March 3 and the meter was reread on March 8. The number on the left of the grievant's reads for February and April are consistent with the prior month's reads whether they were correct or incorrect, leading to the belief that the meter was short-dialed.

The grievant stated that in January he scoped the meter and after receiving the double beep, re-scoped it and entered the same read. He denied short-dialing, indicating he entered what he saw which was a 2 and perhaps there was something on the meter to obstruct his view. The grievant further stated that if he was short-dialing and using the prior read, he would have entered a 6 instead of a 2. Union opined most short-dialing cases involve consulting the prior month's read, which is obvious the grievant did not do in this instance.

In discussion at the Review Committee, Company noted this grievant is performing below standard on Class II rebates. The standard is .60 and his performance over a four month period was .65. This is indicative of poor meter reading performance.

Decision

Based on the facts of this case, the Review Committee agreed to settle the case as outlined below. This decision does not supersede or alter prior precedent grievance decisions upholding terminations for curbing or short-dialing.

- The grievant will need to submit to a DOT return to work test and have a negative result.
- Assuming a negative result, he will be reinstated to Sr. Meter Reader in San Luis Obispo, with 50% back pay for the period between the date of discharge and date of return to work.
- Benefits in tact, except for vacation forfeiture pursuant to Subsection 111.5(a).
- Oral Reminder in the Work Performance category active for six months from date of return to work.

This case is closed on the basis of the foregoing.

For the Company:

Margaret A. Short
Bob Lipscomb
Dave Morris
Craig Porter

By: Margaret Short

Date: 2/15/06

For the Union:

Sam Tamimi
William R. Bouzek
Louis Mennel
Sherrick A. Slattery

By: Sam A. Tamimi

Date: 2-15-06