

7.1: Since the WR in the Conduct category (for specifically instructed not to utilize a vacuum trailer to clean up an oil spill in a junction box) given to an Equipment Operator was deactivated; case closed without adjustment on the basis that it is moot.



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

REVIEW COMMITTEE

RECEIVED by LU 1245
January 25, 2007

**CASE CLOSED
FILED & LOGGED**

IBEW



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700
BOB CHOATE, SECRETARY

REVIEW COMMITTEE NO. 16346
OM&C – Gas T&D - Vacaville

Jeff Neeley
Company Member
Local Investigating Committee

Darryl Norris
Union Member
Local Investigating Committee

Subject of the Grievance

The grievant, an Equipment Operator, was given a Written Reminder in the Conduct category for utilizing a vacuum trailer to clean up an oil spill in a junction box after being specifically instructed not to use the vacuum trailer for this job.

Facts of the Case

The LIC report indicates the grievant was considered a "designated responder", had received extra hazardous material training at the supervisor level, and had been the yard haz-mat coordinator for approximately four years.

The grievant was actually given two Written Reminders for this incident. The other WR in the Work Performance category was rescinded at Fact Finding. Prior to these WR's, the grievant had no active discipline.

Discussion

The report in this case is extensive and contains conflicting witness statements. This case was discussed at length at Fact Finding and Pre-Review. The Review Committee in its discussion on December 20 attempted to sort out the facts, but soon realized that the WR was due to deactivate in two days assuming there had been no further discipline.

Decision

Upon confirming that the WR was deactivated, the Review Committee agreed to close the case without adjustment on the basis that it is moot, and without prejudice to the position of either party.

For the Company:

Margaret A. Short
Bob Lipscomb
Dave Morris
Craig Porter

By: Margaret Short

Date: 1/17/07

For the Union:

Bob Choate
William R. Bouzek
Louis Mennel
Sherrick A. Slattery

By: Bob Choate

Date: 1/17/07