



REVIEW COMMITTEE

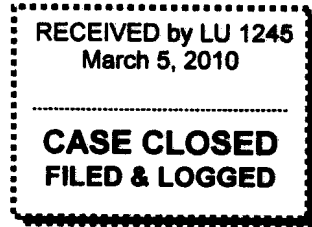


PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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VACAVILLE, CALIFORNIA 94696
(707) 452-2700

JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

Review Committee Nos. 18314 & 18713 Energy Delivery – TSM&C Cupertino

Voncille Williams
Company Member
Local investigating Committee

Bill Brill
Union Member
Local Investigating Committee

Grievance Issue:

The first case concerns a DML issued to an Electrician following a switching error and the second case concerns the discharge of the Electrician for poor work performance.

Facts of the Case:

The Grievant was issued a DML for a work procedure error on March 7, 2008. The Grievant removed a "man on line" tag from the Edenvale 1102/7 C Phase and closed the switch into the energized 12 kV bus which tripped circuit switch #176 and Bank #1. This disconnect was a clearance point and was grounded as the clearance was still in effect. The result was damage to Company equipment and customer outage. On April 30, 2008, a DML was issued for the error.

The Grievant testified that he was tired and did think about the removal of the "man on line" tag. He knew the foreman was not there but wanted to get the job done. He knew it was a clearance point and should not have worked on it.

On September 4, 2008, the Grievant failed to follow procedures that he was aware of and had been tailboarded. S1466, section 9-15 states "Any time an oil sample must be taken from a Substation Transformer, LTC or regulator, precautions must be taken by the crew to prevent equipment from inadvertently tripping the Low Oil Level protection." The Grievant choose not to take precautions in this case. On October 27, 2008, the Grievant was discharged for causing a sustained outage impacting approximately 12,000 customers.

Discussion:

In the first case the parties argued the severity of the error and how it applies in relationship with RC 11575. The Company argued that the severity of the incident justified a DML.

The Union argued that the severity of the discipline and that there was no dishonesty as in RC 11575, a DML is not justified.

The Company argued in the discharge case that the employee failed to follow proper procedures and was aware of the requirements. The Grievant chose to perform the work without taking the

necessary precautions and the result was a sustained customer outage. As a result of the Grievant's inaction severe discipline is appropriate.

The Union argued in the termination that the discipline was too harsh.

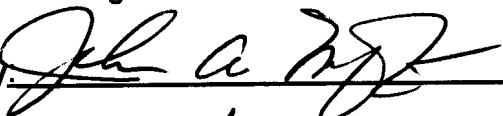
Decision:

The parties agree to reduce the switching error case to a Written Reminder which is consistent with RC 11575 and to sustain the second case which was the subsequent termination. It was appropriate to escalate the discipline from a Written Reminder to Discharge in the second case due to the severity of the infraction.

The cases are closed without further adjustment.

For the Company:

John Moffat
Gayle Hamilton
Dave Morris
Mike Savage

By: 

Date: 2/11/2010

For the Union:

Bob Choate
William R. Bouzek
Louis Mennel
Karen Russel

By: 

Date: 2/11/2010