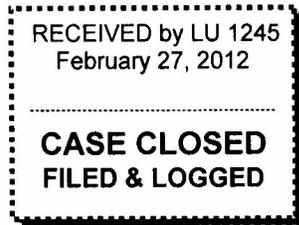




REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(650) 598-7567



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

DOUG VEADER, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

F. E. (ED) DWYER Jr, SECRETARY

Review Committee Number 19230 Electric Operations – Electric T&D – Woodland

Deanna Helm
Company Member
Local Investigating Committee

Darryl Norris
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns an Oral Reminder issued to a Lineman for being less than truthful during an investigation into a backing accident.

Facts of the Case

The grievant was involved in a backing accident. During the investigation, the grievant explained that he was distracted by the supervisor waving and making hand gestures for him to continue backing up. The supervisor was standing in front of the vehicle talking with a customer at the time. The supervisor indicated he was not making hand gestures to the grievant and confirmed that the customer did not see him make hand gestures. The grievant was issued the Oral Reminder for being less than truthful.

Discussion

The Review Committee noted that the Company offered to rescind the Oral Reminder at the Fact Finding step of the grievance procedure. This offer was made on the basis that the Oral Reminder would have expired and was not relied upon in the subsequent termination of the grievant. The Union declined the offer.

More recently, the Written Reminder issued to the grievant for the backing accident itself was arbitrated. The arbitrator concluded there was just cause for discipline as the grievant was at fault, lost sight of his backer, and did not comply with Section 309(a) of the Code of Safe Practices. The level of discipline, however, was mitigated to an Oral Reminder based on the arbitrator's conclusion that the supervisor was waiving the grievant back at the time of the accident.

Decision

Given the arbitrator's conclusions in Arbitration Case Number 299, the Committee agrees to rescind the Oral Reminder. This decision is made without prejudice to the positions of the parties relative to the grievant's termination.

For the Company:

Doug Veader
Laura Sellheim
Ruben Ramirez
Mike Savage

For the Union:

F.E. (Ed) Dwyer Jr.
James Brager
Mike Scafani
Karen Russel

Doug Veader, Chairman
Review Committee

2/23/12 *Doug Veader*
Date _____

F. E. (Ed) Dwyer, Secretary
Review Committee

2/23/2012 *F. E. (Ed) Dwyer*
Date _____