



REVIEW COMMITTEE

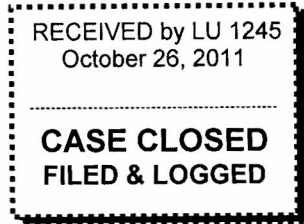
IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(530) 613-3203

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 No. 20240 Electric Operations – GC Line – Vaca-Dixon

Carol Quinney
Company Member
Local Investigating Committee

Mike Saner
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Written Reminder issued for intentionally damaging a speed bump on private property.

Facts of the Case

The grievant is an Apprentice Lineman with a hire date of December 27, 2005. At the time of the incident the grievant's active disciplinary record consisted of a coaching and counseling.

The grievant was traveling in his personal vehicle to the Company's Airport Yard in Santa Rosa to work on his apprenticeship on the Company computer. He was heading towards the yard, when he hit a speed bump which had just been installed. He hit his head on the top of his truck. The speed bump was located on private property which the Company has a right of way to travel.

Upon exiting on this same route, the grievant stopped on the speed bump and spun his tires and leveled the bump to the ground. This act was witnessed by a tenant and the owner of the property who reported it to the Company. The grievant, who did not report the incident, claimed it was an accident.

Discussion

The Union argued that the employee should not be held accountable for activity which occurs on their own time off Company property. This matter should have been handled between the owner of the property and the grievant.

The Company responded that employees may be held accountable for actions which occur on their own time off Company property. This is especially true when the actions reflect

negatively on the Company. The grievant's behavior discredited himself and in turn the Company. In this particular case, the issue of whether the grievant can be held accountable for off Company property misconduct is moot in that the Company had paid for a right of way on the property.

Decision

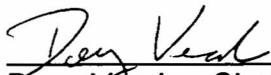
The Committee could not agree whether the Written Reminder was issued for just cause as the parties could not agree whether it was appropriate to take disciplinary action for off duty conduct. In light of the grievant's discharge which was upheld in RC 20513, the Company agreed to reduce the discipline to a coaching and counseling with the understanding that the settlement does not set precedence and is without prejudice to the positions of the parties.

For the Company:

Doug Veader
Laura Sellheim
Ruben Ramirez
Mike Savage

For the Union:

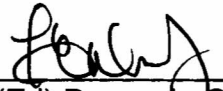
F.E. (Ed) Dwyer Jr.
James Brager
Michael Scafani
Karen Russel



Doug Veader, Chairman
Review Committee

10/26/11

Date



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

10/26/2011

Date