



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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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

ROBIN WIX, CHAIRPERSON

KIT STICE, SECRETARY

### Review Committee Number 25027 Gas Operations – LNG/CNG – Rocklin

Jodi Baxter  
Company Member  
Local Investigating Committee

Kyle Whitman  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns a Written Reminder in Work Performance that was issued to an Operating Clerk for continued inadequate work performance.

#### Facts of the Case

The Grievant is an Operating Clerk in Rocklin and had 17.5 years of service at the time the Written Reminder was issued.

The Grievant was issued a Written Reminder in Work Performance on September 12, 2018 which was reduced to an Oral Reminder in Work Performance through the grievance process. The Oral Reminder would deactivate as of March 12, 2019. In January 2019, the supervisor issued a C&C in Work Performance to the Grievant for continued work performance deficiencies while the Oral Reminder was active. On March 12, 2019, the Company held an investigatory meeting with the Grievant to discuss her lack of improvement in execution of her work since the C&C was issued. Following the investigation on March 12, 2019, the supervisor planned to issue a Written Reminder in Work Performance to the Grievant that afternoon, however the Shop Steward was unavailable. Subsequently, due to the unavailability of the Grievant and/or the supervisor over the next couple of weeks, the Written Reminder letter was provided to the Grievant on March 28, 2019.

#### Discussion

The Union argued that the Company skipped formal steps of the Positive Discipline Process based on the Written Reminder letter being issued 16 days after the Oral Reminder should have been deactivated. Additionally, the Union contended that the Company did not allow adequate time for the Grievant to improve her performance and instead rushed to issue the next step of PD by holding the investigative meeting on the same day the Oral Reminder was scheduled to deactivate, in an obvious attempt to place the Grievant on a higher level of discipline. The Union stated that had the Grievant's work performance not improved since PD was issued on September 12, 2018, the Company should have been taking timelier action to address the continued work performance problems.

The Company argued that the Grievant demonstrated continued work performance deficiencies and that the Company could have moved to a Written Reminder in Work Performance in January 2019 rather than issue a C&C, however the supervisor was trying to work with the Grievant to help her improve. The investigatory interview would have been held sooner but was delayed until March 12, 2019 due to factors

beyond the Company's control. This in turn delayed issuance of the Written Reminder. The fact that the Shop Steward was unavailable later in the day following the investigative meeting, was an additional reason the Written Reminder letter was not issued prior to the end of the work day when the Oral Reminder would be deactivated had further issues not required a higher level of PD.

Decision

Following the issuance of the Written Reminder on March 28, 2019, the Grievant was issued a Decision Making Leave on August 28, 2019 resulting from continued work performance deficiencies. The Union filed Grievance #25139 for the DML which is currently at the local level of the grievance process. In agreement with the Local Investigating Committee for grievance #25139, the parties agree to the following settlements:

The Written Reminder in Work Performance issued on March 28, 2019 will be reduced to an Oral Reminder in Work Performance with an effective date of March 28, 2019. In turn, the DML (G#25139) will be reduced to a Written Reminder in Work Performance with an effective date of August 28, 2019. Any C&Cs issued during these periods will remain in place without adjustment. Based on the foregoing, both grievances 25027 and 25139 are considered closed.

**For the Company:**

Robin Wix      10-30-19  
Robin Wix, Chairperson      Date  
Review Committee

**For the Union:**

Kit Stice      10-30-19  
Kit Stice, Secretary      Date  
Review Committee