

## **REVIEW COMMITTEE**



PACIFIC GAS AND ELECTRIC COMPANY LABOR RELATIONS DEPARTMENT 375 N. WIGET LANE, SUITE 130 WALNUT CREEK, CA 94598 (408) 282-7464

KATHY LEDBETTER, CHAIRPERSON

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

LLOYD CARGO, SECRETARY

# Review Committee Number 25374 Gas Operations – GC Gas

Nathaniel Allen Company Member Local Investigating Committee Jody Castro
Union Member
Local Investigating Committee

#### Subject of the Grievance

This case concerns the discharge of a GC Gas Utility Worker for multiple violations of the Company Code of Conduct. The violations included being absent from his job site without permission, timecard falsification and falsification of meal expenses.

#### Facts of the Case

The Grievant was supporting the PSPS Events in the North Bay during October 2019. On both October 28 and October 31, 2019, the Company determined that the Grievant may not have been at his actual work location.

On October 31, 2019, he could not be located by the temporary supervisor who was then told by a co-worker that the Grievant was on vacation that day. Both the temporary and regular supervisor maintained that they had not previously approved the vacation request. During the workday, the Grievant participated in several group text messages about the status of the PSPS event and their work assignments.

The Grievant subsequently submitted timecards for the week indicating he had worked on October 31<sup>st</sup>. The timecard for that day also included overtime and missed meals. Upon further investigation, the regular supervisor determined that the Grievant had also submitted for missed meals as well as for expense account reimbursement of those same meals on two other dates that week.

The Grievant was terminated for the events in this case. During a review of the case at the Fact Finding step, the Company agreed that there was not sufficient just cause to discipline for his

whereabouts on October 28th. However, the Company maintained that the remaining events from the week did have sufficient just cause to sustain the termination.

At the time of his termination, the Grievant had approximately 5 ½ years of service and was not on any active formal Positive Discipline.

#### Discussion

The Union noted that the Grievant maintained he had approval to take the day off and had copied a co-worker's time cards. This resulted in the time reporting error on October 31st. This also led to confusion on his expense accounts. Given this was only an error, there was not sufficient just cause to terminate this Grievant.

The Company maintained that the Grievant did not have permission to be off on October 31st, took steps to make it appear as if he was working through a group text and then submitted falsified timecards and expense accounts for the week. In addition, the record notes that he was not truthful during his investigation. These actions clearly indicate an attempt to commit fraud and are a serious violation of the Company's Code of Conduct Standards.

### **Decision**

The Review Committee agreed that the Grievant intentionally falsified records which included his timecard and meal expense reimbursements, and misled the company as to his whereabouts. Given the significance of those incidents, the termination is appropriate and for just cause.

This case is to be considered closed based on the above.

For the Company:

Date

**Review Committee** 

For the Union:

5/11/2021 Lloyd Cargo, Secretary

**Review Committee** 

Date