



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
375 N. WIGET LANE, SUITE 130
WALNUT CREEK, CA 94598
(530) 246-6430

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

ROBIN WIX, CHAIRMAN

KIT STICE, SECRETARY

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

Pre-Review Committee Number 23004 Electric Operations– M&C – Hayward

Vanessa Parker
Company Member
Local Investigating Committee

Lou Mennel
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Written Reminder in conduct given to a Lineman for two incidents where he became agitated, insubordinate, and used inappropriate language during interactions with his crew foreman and his supervisor.

Facts of the Case

The grievant is a Lineman with 13 years of service and no active discipline at the time of the incidents.

On December 12, 2014, the grievant was in need of a single bucket truck and requested the keys for the only available single bucket truck in the yard from the crew foreman. The crew foreman told the grievant no. The grievant became upset at the crew foreman's refusal to give him the keys to the truck and left the bullroom with the relief supervisor and another employee. When the relief supervisor tried to calm the grievant down, the grievant stated he would "F--- him up". The relief supervisor told the grievant he would get the keys from the crew foreman and the grievant replied "F--- him".

On December 16, 2014, the grievant was working a job with the same crew foreman when the crew foreman approached the grievant telling him to use an anchor rod, as discussed at the tailboard, instead of the ground rod the grievant was using. The direction from the crew foreman upset the grievant. Later in the day, when asked a question by the crew foreman, the grievant responded "get the F--- away from me". The crew foreman called the supervisor to notify him of the grievant's behavior. When the supervisor called the grievant directly and instructed him to listen to the crew foreman and follow his work direction, the grievant used inappropriate language and began yelling at the supervisor. At the end of the conversation, the supervisor heard the grievant say "F--- off, do what you gotta do" then the grievant hung-up the phone. The grievant maintained at the LIC that he stated "F--- that, do what you gotta do".

Discussion

The Union argued that the grievant was provoked by the crew foreman when he refused to give him the keys to the truck. The grievant's reaction when talking to the relief supervisor was the result of frustration based on the ongoing history between the grievant and the crew foreman. The grievant's comments were not intentional threats and were said out of clear frustration. The Union further argued, based on the testimony given at the LIC, the Company was aware that the two employees did not get along and the Company failed to take action to address the ongoing difficult relationship between the employees. The Written Reminder is too severe in this case and should be reduced.

The Company argued that the grievant's actions were in violation of the Employee Code of Conduct and the Company's core values of treating others with respect. The grievant directed profanity at the crew foreman on two separate occasions and at the supervisor when the supervisor was attempting to address his behavior toward the crew foreman. The Company further argued that the grievant continued the same behavior during the second incident when he was asked questions and given work direction by the crew foreman. Based on a review of prior cases for similar conduct, a Written Reminder is the appropriate level of discipline in this case.

Decision

After much discussion, the Committee agreed the Written Reminder was for just cause. This case is closed without adjustment.

Robin Wix 9-30-15
Robin Wix, Chairman Date
Review Committee

Kit Stice 9-30-15
Kit Stice, Secretary Date
Review Committee