



REVIEW COMMITTEE



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, CHAIRMAN
☐ DECISION
☐ LETTER DECISION
☐ PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

Review Committee Number 22216 Electric Operations – W&R Dispatch – Concord

Denise Floyd
Company Member
Local Investigating Committee

Lou Mennel
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of a Work and Resource Dispatcher for violation of the Employee Code of Conduct and failure to report to work.

Facts of the Case

The grievant is a Work and Resource Dispatcher with 22 years of service. At the time of the incident the grievant had no active discipline.

The grievant failed to report to work and failed to follow appropriate call-in procedures to notify her supervisor she would not be reporting for work on June 24, 27, 28, 29, 30 and July 1, 2013. Additionally, following a Corporate Security investigation, the grievant was found to have violated the Employee Code of Conduct when she made three separate telephone calls where she used profanity toward her co-workers and, on one occasion, made threatening comments toward a co-worker.

Grievant claimed she was under the influence of prescribed medication due to a personal injury during the time she made the calls to co-workers and did not report or notify her supervisor she would not be coming to work. Grievant further stated that she was a victim of domestic violence and suffered from lack of sleep during this time period which impacted her judgment.

Grievant did not respond to daily attempts by supervision to contact her on the days she was a no call/no show for her assigned work period.

Discussion

Union argued that grievant was a long service employee (22 years) with a good work record prior to this incident, and the medication she was taking impaired her judgment. The behavior displayed during this time period was not a-typical of the employee. Grievant was a victim of domestic violence which further exacerbated her behavior due to lack of sleep. Furthermore, grievant was seeking assistance from EAP and under doctor's care for her condition(s). Based on her work history and long service, termination was too severe and the grievant should have been issued discipline rather than terminated.

Company argued that grievant failed to properly notify her supervisor on six separate occasions that she would not be reporting for her assigned shift and did not respond to the supervisor's attempts to reach her during this period. In regards to grievant's claims that her behavior resulted from the medication she was taking, she never notified her supervisor that she was taking prescribed medication that affected her ability to report for work. Grievant was given the opportunity throughout the grievance procedure to provide documentation supporting her claim and failed to provide any documentation.

The Company has an obligation to protect all employees and the public from harassing behavior and threats of violence. Grievant's behavior was egregious and clearly violated the Employee Code of Conduct, creating a hostile environment for her co-workers.

Decision

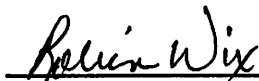
Based on the totality of the grievant's conduct the Committee agrees the discharge was for just cause and this case is considered closed without adjustment.

For the Company:

Robin Wix
Rod Williams
Laura Selheim
Chris Zenner

For the Union:

F.E. (Ed) Dwyer Jr.
Jim Brager
John Blaylock
Karen Russell



Robin Wix, Chairman
Review Committee

3/25/15
Date



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

3/25/2015
Date