



## 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.  
P.O. BOX 2547  
VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

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

F.E. (ED) DWYER Jr, SECRETARY

### **Review Committee Number 22666 Electric Operations – GC Tower – Merced**

Sean Marjala  
Company Member  
Local Investigating Committee

Mark Rolow  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns a Decision Making Leave (DML) issued to a GC Tower Subforeman A for violation of the Employee Code of Conduct Policy for using profanity and exhibiting disrespectful behavior during an All Hands employee meeting.

#### Facts of the Case

The grievant is a General Construction Subforeman A with 30 years of service. At the time of the incident the grievant had no active discipline.

During a system-wide All Hands meeting for the Electric Transmission Tower Department, the grievant became angry with an answer given by one of the Superintendents at the meeting. The grievant stood up and, in a raised voice, used profanity in reply to the Superintendents statement. The grievant began pacing back and forth and continued to voice his objections in an unprofessional manner. The grievant was asked by management to calm down and remain respectful, to which he replied with further profanity. The grievant then left the meeting stating he was going back on vacation as he was originally scheduled to be on vacation that entire week. Witnesses to the event stated that the grievant's words and actions were not threatening, however he was angry, yelled, used profanity, and left the meeting abruptly.

#### Discussion

The Union argued that the level of discipline issued in this case was too severe. The grievant is a 30 year employee with no active discipline at the time of the incident. The Union agreed that while the grievant's behavior at the All Hands meeting was inappropriate this incident warranted a lower level of discipline. The grievant did not act in a threatening manner, nor was he personally attacking an individual, he was only voicing his long standing frustrations with staffing issues in his area.

The Company argued that following the grievant's initial outburst he was asked to calm down and be respectful to which he again responded to by using more profanity and then stormed out of the meeting. The grievant's behavior was unprofessional, disruptive to the meeting, and in violation of the Company's Core Values and Employee Code of Conduct for treating others with respect.

The Committee reviewed several precedent setting cases of similar incidents and noted that Written Reminders have generally been issued for outbursts of this magnitude. DMLs or discharges only have been issued when the outbursts involved more egregious behavior, such as acting in a threatening manner or making direct threats against others. The Committee agreed that based on the testimony of witnesses, as documented in the LIC report, his behavior was completely inappropriate and warranted a serious level of discipline. Based on a review of prior cases, a Written Reminder would be the appropriate level of discipline in this case.

**Decision**

The Committee agrees to reduce the DML to a Written Reminder. This case is considered closed based this adjustment.

**For the Company:**

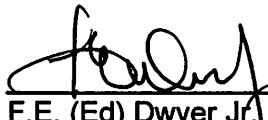
Robin Wix  
Rod Williams  
Tanya Moniz-Witten  
Chris Zenner

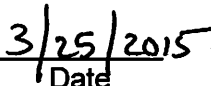
  
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Robin Wix, Chairman  
Review Committee

  
\_\_\_\_\_  
Date

**For the Union:**

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

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

  
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Date