



REVIEW COMMITTEE



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
☐ DECISION
☐ LETTER DECISION
☐ PRE-REVIEW REFERRAL

KIT STICE., SECRETARY

Review Committee Number 22922 Electric – Maintenance & Construction – Bakersfield

Monica Oakes
Company Member
Local Investigating Committee

Mark Rolow
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the issuance of a Decision Making Leave (DML) to a Lineman for failure to report a motor vehicle incident and for attempting to repair the damaged bumper on his own.

Facts of the Case

The grievant is a Lineman with 9 years of service and had no active discipline at the time of the incident.

The grievant was backing his vehicle, using a Pre-Apprentice Lineman to spot him, when he caught the front passenger side of the vehicle's bumper on a steel post, causing damage to the bumper. The grievant used a hoist to straighten the bumper as much as possible. The grievant later spray painted the bumper after he discovered that someone had written "What happened here...?" with the grievant's name included.

The Supervisor was made aware of the damaged vehicle by another employee. The grievant stated he did not report the damage because he believed the Pre-Apprentice Lineman would be discharged for being involved in a safety incident. The grievant confirmed that he is aware MVI's must be reported.

Discussion

The Union argued that the grievant was attempting to protect the job of his fellow employee because he believed the Pre-Apprentice Lineman would be terminated for being involved in a minor backing incident. Additionally, the damage to the bumper was minor. Based on the grievant's intentions and the limited amount of damage to the vehicle, the issuance of a DML is too severe and should be reduced to a Written Reminder.

The Company argued that the DML is the appropriate level of discipline based on the grievant's egregious conduct. He was aware of the Company policy requiring the reporting of MVIs but made a conscious choice to violate the policy by not reporting the incident. The grievant was also a Grassroots Safety Lead so he fully understood the importance of reporting safety incidents timely. Furthermore, not following Company policies or procedures based on an attempt to protect another employee's job is dishonest and unacceptable behavior, and in direct violation of the Company's Core Values. The Company further argued the grievant exacerbated the incident when he attempted to cover it up by making repairs to the vehicle, which he was not trained or authorized to make. In addition, even after another employee indirectly pointed out the damaged bumper to the grievant, the grievant still did not report the incident to his supervisor, but chose to instead spray paint the bumper.

Decision

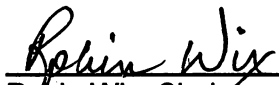
The Committee discussed this case at length at every step of the grievance procedure and was unable to reach agreement on the appropriate level of discipline. The discipline deactivated as of January 7, 2016, rendering this grievance moot. The Committee agreed to close this case without prejudice to either party's position based on the deactivation of the discipline.

For the Company:

Robin Wix
Tanya Moniz-Witten
Rod Williams
Chris Zenner

For the Union:

Kit Stice
Robert Mohler
Karen Russell
Andrew West



Robin Wix, Chairman
Review Committee

1-27-16

Date



Kit Stice, Secretary
Review Committee

1-27-16

Date