



## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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INTERNATIONAL BROTHERHOOD OF  
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ROBIN WIX, CHAIRMAN  
☐ DECISION  
☐ LETTER DECISION  
☐ PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

### **Pre-Review Committee Number 22682 Gas Operations – Gas Transmission – Milpitas**

Jodi Baxter  
Company Member  
Local Investigating Committee

Casey Barker  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the termination of an Apprentice Gas Control Technician for falsifying timecards by misrepresenting straight-time and overtime hours during a two-week period when he was attending training at the San Ramon Valley Conference Center (SRVCC).

#### Facts of the Case

The grievant was an Apprentice Gas Control Technician with 2 years of service. The grievant had no active discipline at the time of the incident.

The grievant attended training at the SRVCC Monday, June 2 through Friday June 13, 2014, along with two other employees from his work group. The supervisor offered all three employees lodging and the use of company vehicles during the training period. The grievant declined both the lodging and the company vehicle, opting to commute daily in his personal vehicle.

At the end of the training, the grievant submitted timecards for 8 hours of straight-time and one hour of travel time at the overtime rate for each of the ten days of training. The training instructor stated all three employees were released at 11:00 am and could take one hour for lunch. The grievant stated he was released at 2:00 pm on Friday 6/6/14 and at 1:30 pm on Friday 6/13/14. The other two employees submitted timecards of eight hours at the straight rate of pay.

#### Discussion

The Committee reviewed the language of Section 201.7 which states in part:

*"...he/she shall be given an allowance for the time involved which is in excess of the time normally taken in traveling between his/her living quarters and regular*

*headquarters and such time will be considered as time worked and paid at the appropriate rate of pay."*

The LIC report reflects the estimated commute time from the grievant's residence to his headquarters is twenty-one minutes, and his estimated commute from his home to the training center is thirty minutes per Google maps.

The Union argued that it was 30 minutes longer each way to commute to the training location and therefore there was no violation of 201.7 and no falsification. The only discrepancy is the one hour of overtime submitted on the Fridays he was released early.

The Company noted that during the investigation the grievant stated his commute to his headquarters was approximately one hour and during the LIC meeting he said his commute to work was twenty minutes on average, therefore he would either not be eligible for any overtime for travel or, at most, be eligible for thirty minutes and not one hour. The Company argued the grievant further falsified his timecards by submitting for one hour of overtime for travel on both Fridays when he was released from training at 11:00 a.m. which was during his regular scheduled work period. In addition, the two Friday timecards reflect eight hours of straight-time pay when he did not return to work following his release from training, nor did he obtain permission from his supervisor.

#### Decision

The Committee agrees that the termination was for just cause and this case is considered closed.

	
Robin Wix, Chairman	F.E. (Ed) Dwyer Jr, Secretary
Review Committee	Review Committee
	
Date	Date