



Review Committee Decision

ESC Review Committee File No. 806  
ESC Grievances 9110-08-05/9110-18-05 (PGE 15697/15868)

Subject of the Grievance

The Company issued an Oral Reminder and Written Reminder to a Senior Engineering Estimator for Conduct.

Facts of the Case

The grievant was issued an Oral Reminder for an incorrect time card entry and for an inappropriate request for overtime. The grievant completed a time card showing he was working on a job which had been sent to the ADE for review and had requested overtime to complete portions of the job. The grievant maintains he was working on the Strength Test Pressure Reports and two sketches for the job estimate that needed to be completed and that his charges were appropriate. The record from the Local Investigating Committee indicates that the grievant had difficulty with the sketches and that the grievant was not fully cooperative when the supervisor was attempting to determine what occurred.

Three months later, the employee left work early one day due to illness. Prior to leaving, he contacted his supervisor by e-mail and told a co-worker that he needed to leave. Upon the employee's return, the supervisor reviewed with the grievant, the notification process to be used if an employee leaves work early and asked in the future to be notified directly, not through e-mail. A few days later, the employee again notified his supervisor by e-mail that he needed to use unanticipated vacation and leave early. Because the employee didn't phone the supervisor, the Company issued a Written Reminder.

Discussion

This case involves two separate grievances concerning the level of discipline for Conduct violations. In both cases, the discipline is no longer active. The grievant had no active discipline at the time of the initial Conduct violation.

The Review Committee discussed several items pertaining to the two grievances. First, although the Company believes that the grievant withheld his best efforts from the Company and did not fully cooperate with his supervisor during the initial investigation, the record does not show that the grievant deliberately falsified his time card.

Second, the union expressed concern that the employee was counseled about the company's notification process for absences without having a shop steward available. Although the supervisor did not intend the discussion to be disciplinary it became part of the discipline when the Supervisor objected to the notification process the employee used for unanticipated vacation.

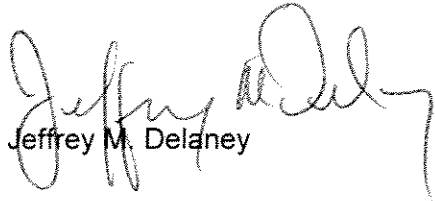
Finally, the Review Committee discussed unanticipated vacation. In this case, there is nothing in the record to indicate that the grievant inappropriately used the unanticipated vacation provisions of the agreement.

Disposition:

Although the parties disagree over the level of discipline, given the circumstances around both issues, the parties agree that the Oral Reminder should be reduced to Coaching and Counseling and the discipline for the unanticipated vacation should be removed. The Review Committee also notes that the discipline may not have been necessary had better communication existed between the grievant and his supervisor.

On the basis of the foregoing, these grievances are closed.

For the Company



Jeffrey M. Delaney

For the Union



Ben Hudnall