

## **GROUND RULES FOR UNION ORGANIZING CAMPAIGNS**

### **Neutrality Agreement**

The following is intended to clarify the Neutrality Agreement, executed November 10, 2005 and avert problems which may occur during organizing activity. It clarifies, but does not supersede the provisions of the Neutrality Agreement. It is understood that the specific language of the Neutrality Agreement shall govern.

#### **Relationship of the Parties**

- Recognize long history and ability to work collaboratively.
- Avoid intentional and to extent possible unintentional conflict.
- Neither party will portray the other in a negative, disparaging, and/or derogatory light.
- The principles of Sections 3.1 – 3.4 of the Agreements will apply to all employees and Union during organizing campaigns.

#### **Unit Clarification**

- Union jurisdiction, IBEW or ESC, of Appropriate to Organize (ATO) groups to be determined by Unions.

#### **Notice**

- Union sends written Notice of Intent to Organize (NOI) to Director of Labor Relations. NOI shall identify specific positions from the most current Appropriate to Organize (ATO) list provided to Union in November 2005 and updated thereafter.
- NOI to recommend to which bargaining unit the additional positions would be added.
- The parties agree that no communications will be made to employees until the parties have met and agreed upon the prerequisites (or exhausted the dispute resolution process), and the Joint Letter has been mailed to the targeted employees.
- Union may not seek to organize same ATO group more than once in a twelve-month period determined from the last card count which included that ATO group.

#### **Prerequisites to Initiation**

- Reach consensus on composition of appropriate unit for addition to bargaining unit or submit to mediator > umpire. Once consensus is reached, positions subject to organizing of unit may not be changed, unless mutually agreed to by the parties.
- Reach agreement on which IBEW bargaining unit NOI groups to be added or submit to mediator > umpire.
- Parties to agree on date Joint Letter to be sent to employees at their home address. Campaign opens five business days after mailing of the Joint Letter.

**Employee Communications**

- All communications, oral or written, shall be accurate, free from fear and/or intimidation, or negative portrayals.
- Union commits to providing all written communications to Company, including articles for the Utility Reporter, within a reasonable time frame prior to anticipated distribution or publication. Company will review and provide comment to Union within a reasonable period.
- Continued Company review of any articles to be posted on IBEW website on PG&E Intranet.
- A third party neutral shall provide prior written notice to employees of the date of the card count.
- Employees shall receive a copy of Company's policy on use of e-mail and supervisors will discuss the policy at employee meetings prior to or soon after the mailing of the Joint Letter.

**Employee Access**

- To be agreed upon between the parties prior to the mailing of the Joint Letter.
- The parties may agree to on-site access to employees at mutually agreed to places and times. Access will not be unreasonably denied and any access agreed to will be in non-work areas and at times that do not interfere with work.

**Role of Third Party Neutral – Card Verification and Count Process**

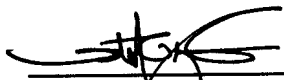
- Notify parties, concurrently, within one business day of 30% card verification.
- Notify parties, concurrently, within one business day of 50%+1 card verification.
- Union to determine and notify third party neutral of card count date. Third party neutral will immediately notify Company and will soon thereafter provide written notice to employees of the card count date.

**Dispute Resolution**


- Third party neutrals or umpires are to be used to mediate and/or resolve disputes between the parties based on the terms of the Neutrality Agreement and/or FLSA, NLRA, and FMCS standards.

**Reports and Information**

- When the third party neutral notifies Company of the verification of 30% of cards, Company will provide Union with the name, home address, telephone number, work location and job title of the employees subject to being organized.
- A list of employees will be updated each pay period with the names of hires or terminations.
- When Union determines the card count date, the list of employees (workforce composition) will be frozen as of the end of the pay period immediately preceding the card count.

  
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 Stephen A. Rayburn  
 Director, Labor Relations  
 Pacific Gas & Electric Company

9.1.06  
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 Date

  
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 Tom Dalzell  
 Business Manager  
 Local 1245, IBEW

9 Oct 2006  
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 Date