



**Pacific Gas and  
Electric Company™**

## REVIEW COMMITTEE



**IBEW**

PACIFIC GAS AND ELECTRIC COMPANY  
2850 SHADELANDS DRIVE, SUITE 100  
WALNUT CREEK, CALIFORNIA 94598  
(510) 974-4282

MARGARET A. SHORT, CHAIRMAN

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

RECEIVED

JAN. 20, 2000

**CASE CLOSED**

**FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(510) 933-6060  
PERRY ZIMMERMAN, SECRETARY

Fresno Division Grievance No. FRO-99-21  
Fact Finding No. 6987-99-145  
**Pre-Review Committee No. 2237**

NORA WOODS  
Company Member  
Local Investigating Committee

JIM LYNN  
Union Member  
Local Investigating Committee

### Subject of the Grievance

This case concerns the discharge of a Customer Services Representative from the Fresno Call Center for work avoidance, specifically, the release of many calls from her phone; failure to greet the customer; manipulation of the phone console to avoid incoming calls.

### Facts of the Case

The grievant received permission from her regular Team Leader to take off on Good Friday afternoon for services. The Team Leader inadvertently failed to inform the relief Team Leader about the arrangement with the grievant. The grievant did return to work during the afternoon. Because the relief Team Leader did not know the grievant's whereabouts, he decided to initiate agent trace reports for the following week, April 5-9 to better monitor her performance. The first three days indicated a number 17 instances where the grievant disconnected the call and 38 instances of aux toggling.

Call Quality Monitoring was conducted on April 8, 13 calls were monitored. Four calls were questionable. On Call #2 the grievant did not greet the customer and the call was disconnected by the customer after four seconds. The customer on Call #6 spoke Arabian, when the grievant said "one moment" the customer hung-up. In a follow-up call to the customer, the customer indicated she hung-up for personal reasons. No greeting was made by the grievant on Call #7 and after 19 seconds the call was disconnected at the company switch. On Call #13, the grievant greeted the customer. The customer did not respond and after four minutes and 23 seconds the customer disconnected. The grievant did not say anything further after greeting the customer or follow the "ghost call" procedure.

The above were the reasons cited in the termination letter. However, in addition, during the investigation of the above events, Company determined the grievant did not actually attend Good Friday services but instead watched TV at home. In addition, the grievant left early on April 9 indicating she had a doctor appointment. It was determined she did not have a doctor appointment and instead went camping at Wishon Cove at Bass Lake.

The grievant had almost 15 years of service at the time of discharge, April 16, 1999, and no active discipline. In addition, the Team Leader indicated the grievant had not been coached and counseled on sick leave usage or phone manipulation. However, the Call Center Conduct Summary has been reviewed with all employees.

#### Discussion

Company reviewed the Call Center Conduct Summary in effect at the time states in part:

"A core expectation of Call Center customer contact representatives is to facilitate full and complete work effort, conversation and dialogue with each customer, and provide comprehensive, quality service, at all times .....Intentional (and inappropriate) disconnection of customer calls in progress or equivalent action such as withholding/blocking conversation and dialogue so the customer concludes the call....Behavior or actions of this nature constitute serious misconduct and will subject an employee to disciplinary action, up to and including discharge."

Company opined that the grievant's disconnecting of customer calls, use of aux toggling which made her unavailable to take customer calls, and her failure to follow the "ghost call" procedure impacted customers. Some of the customers had to call in again. As noted in the above policy, answering customer calls is a core expectation, the essence of a Service Representative's job. The failure to carry out that responsibility is just cause for discharge.

Union opined that the discharge of a 15 year employee with no active discipline is too severe, that it is inconsistent with prior disciplinary action taken at the Fresno Call Center for similar offenses. The Union noted there were no customer complaints about the grievant's work, that she was taking the average number of calls. Further, the Union expressed concern about the events that led to the initiation of agent trace reports.

Company stated that because of continuing problems with inappropriate handling of customer calls, a revised Call Center Conduct Policy was communicated and implemented in July 1999, after the grievant's discharge. The revised policy makes it clear that certain behaviors, including those which are the basis for this grievance, may result in immediate discharge.

The Pre-Review Committee agrees that the revised Call Center Conduct Policy makes it abundantly clear for employees that behavior such as that engaged in by this grievant is considered a very serious transgression of company policy and may result in the employee's

discharge whether there is active discipline or not. However, all discharges are subject to review in the grievance procedure.

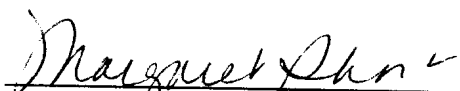
**Decision**

The PRC agrees to close this case as follows:

- Reinstatement to Customer Services Representative at the Fresno Call Center
- Backpay retroactive to November 1, 1999. Benefits intact, except for vacation forfeiture per Section 8.5(a) of the Clerical Agreement.
- DML effective for one year from the date of return for the incidents that led to her discharge and misuse of time off on Good Friday. Additionally, an abuse of sick leave letter will go to the grievant's 701 file. A second occurrence of sick leave abuse during her career will result in her discharge.
- Any future instance of disconnecting a customer or work avoidance may result in the grievant's immediate discharge.
- There will be on-going monitoring of the grievant's performance.
- Upon return to work the supervisor and the grievant will have a discussion about whether there is a need for additional training.

It should be noted that a DML is a total performance commitment. Review of the grievant's attendance record indicates that it was unsatisfactory. In addition to the instance of abuse, the grievant has used an excessive amount of sick leave and been on several leaves of absence.

This case is considered closed on the basis of the foregoing without prejudice to the position of either party.



Margaret A. Short, Chairman  
Review Committee

1/12/00  
Date



Bob Choate, Secretary  
Review Committee

1-12-00  
Date