

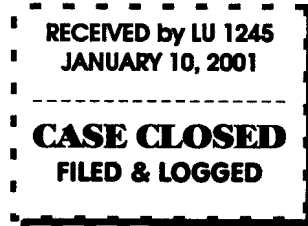


REVIEW COMMITTEE

IBEW



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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
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WALNUT CREEK, CALIFORNIA 94596
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BOB CHOATE, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 10899

Robin Wix
Company Member
Local Investigating Committee

Arlene Edwards
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a Decision Making Leave (DML) given a Service Rep at the Sacramento Call Center for prematurely disconnecting a customer call.

Facts of the Case

On August 13, 1999 at about 12:40 p.m., a customer called PG&E and was connected to the San Francisco Call Center. The customer indicated she had just been talking with another Service Representative (customer gave the employee's name) and she was calling to complain about the handling of her call. She said she was calling in a receipt number for a Reconnect Lock Non-Pay (RLNP) and to restore service. The SF Service Rep completed the customer request and then referred her to the Team Lead as the customer asked to speak to a supervisor about the employee complaint.

The customer complained that during the conversation with the first Service Rep (who is the grievant), words were exchanged, the Service Rep told her not to talk to him that way. The customer replied, "Maybe you should type a little faster." At that point, the call was terminated by the employee.

During the investigative interview on August 31, 1999, the grievant did not at first recall the customer by name or by the type of request. He also did not remember anyone specifically using profanity as he indicated that would be every "two out of ten customers". His memory was vaguely triggered by asking if he remembered someone telling him to "type faster". The grievant denied terminating the call and articulated the alternatives available if a customer is behaving inappropriately toward him. On August 31, 1999, the grievant said:

"I would never disconnect a customer. We know better than that, we been told, we just signed the papers. My problem is anger with them, not hang-up - I don't know what to tell you. In the past I would have argued with the customer. I would say, would you say that a little bit slower. I don't know what to tell you - it doesn't ring a bell."

Exhibits V and VI of the Joint Statement of Facts establish that the grievant talked with the customer that complained on August 13, 1999 and that the call was an internal disconnect.

The grievant signed the revised Call Center Employee Conduct Summary Supplement on July 29, 1999.

At the time of the DML, the grievant had an active coaching and counseling given on July 19, 1999 in the work performance category about needing to better manage After Call Waiting and Aux. time. He also had two positive contacts, one in January 1999 for excellent time management and availability. The second positive contact was in March 1999 to compliment the handling of an anxious customer.

The grievant had 31 years of service at the time.

Discussion

The Union argued that a DML is too severe a level of discipline for such a long service employee. Union believes that a lower step of discipline is more in keeping with the intent of the PD System and the objective of changing behavior. Union stated that not all factual situations are the same and the specifics should be taken into consideration when determining the level of discipline.

Union also argued that it is unfair to Service Reps to wait for two weeks before asking about a specific incident since there are so many intervening calls. Union noted there is no document in the record that details the customer's specific comments to the grievant.

Company responded that the Call Center Conduct Summary the grievant signed just two weeks prior to the incident at issue makes it very clear that disconnecting a customer call is a terminable offense. Meetings were held at each of the Call Centers to communicate this message as the policy had recently been revised to put employees on notice that discharge without regard to mitigating factors could result from disconnecting a customer call. The DML letter to the grievant states "the decision to mitigate the level of discipline is based on your years of service."

The PRC discussed the recent Arbitration Decision 240 which concerned the discharge of another Service Rep for customer disconnects. This discharge occurred prior to the meetings with employees to communicate the Call Center Conduct Summary. The PRC noted that another Call Center Service Rep discharge for customer disconnects is scheduled to be heard this month, January 2001.

Finally, the PRC is aware that the grievant went off work shortly after the DML which was given on September 1, 1999. It is unclear from the record whether the grievant attended the LIC. He is currently on Long Term Disability and is not expected to return.

Decision

This case is closed without adjustment on the basis that it is moot, without prejudice to the position of either party.

Margaret A. Short

Margaret A. Short, Chairman
Review Committee

1/9/01

Date

Salim A. Tamimi

Sam Tamimi, Secretary
Review Committee

1-9-01

Date