

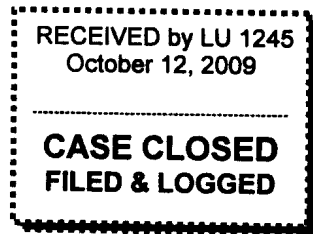


## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
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INTERNATIONAL BROTHERHOOD OF  
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LOCAL UNION 1245, I.B.E.W.  
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JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

### Pre-Review Committee No. 18470 Energy Delivery – Electric T&D – Fresno

Monica Oakes  
Company Member  
Local investigating Committee

Mike Grill  
Union Member  
Local Investigating Committee

#### Subject of the Grievance:

Written Reminder issued to a Lineman for inappropriate and excessive use of a Company cell phone.

#### Facts of the Case:

The Grievant was a Lineman with four years of service with the Company and was issued a Written Reminder on July 1, 2008. The Grievant had an active Oral Reminder for Work Performance effective February 8, 2008.

On May 27, 2008, the Grievant's supervisor received a complaint from a Troubleman about the Grievant sending inappropriate messages to her. The message contained an inappropriate graphic picture sent to the Troubleman's Company cell phone. The Grievant alleged his wife sent the picture to her.

The Company met with the Grievant as a result of the complaint and reviewed the Grievant's cell phone usage. The records were reviewed from a period of September 2007 and February 2008. Records for December 2008 were not available at the time of the meeting. The Grievant made 338 calls to the Troubleman for a total 2,864 minutes during non work hours. He also made an additional 208 long distance calls after normal work hours for a total 1,171 minutes and 81 long distance calls during work hour for a total 394 minutes. The majority of the long distance calls were to Idaho.

The Grievant had reviewed the provision of USP 1 which includes cell phone usage. The Grievant stated that when he was given the phone he was told he had unlimited minutes.

#### Discussion:

The Union argued that the Grievant was singled out for excessive phone usage and only after another employee turned the Grievant in. The Company does allow some limited use of the Company cell phone for personal use and the cost in this case is limited. The Union further argued that the discipline is too severe.

The Company maintained that the Written Reminder was for just cause. The long distance usage and minutes outside of work hours far exceed and reasonable test of limited and occasional use as provided in USP 1.

Decision:

The discipline was issued for just cause and the case is closed without adjustment.



John A. Moffat, Chairman  
Review Committee

10/2/09

Date



Bob Choate, Secretary  
Review Committee

10/2/09

Date