



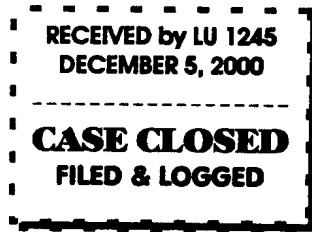
## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
2850 SHADELANDS DRIVE, SUITE 100  
WALNUT CREEK, CALIFORNIA 94598  
(925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(925) 933-6060  
BOB CHOATE, SECRETARY

### Pre-Review Committee No. 10656

Margaret Franklin  
Company Member  
Local Investigating Committee

Jim Lynn  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the discharge of a Fresno Call Center Service Representative for inappropriately accessing customer information and then using that information for personal reasons.

#### Facts of the Case

On July 20, 1999 a Sr. Service Rep. II received a customer complaint concerning the grievant. The customer indicated the grievant used the Company's customer information system to obtain confidential information (customer's address) and then went to the customer's home to confront her on personal issues.

The incident was reported to Security to conduct an investigation. The customer told the Security Rep. that when the grievant came to her home on July 16, she asked the grievant how she was able to locate her. According to the customer, the grievant replied: "At my office, I can push buttons and get anything I want."

A review of the customer's account revealed that the grievant accessed the account five times on July 15 one day before her visit to the customer. On August 17 when interviewed by Security, the grievant admitted using her workstation computer to access the customer's account and that she knew it was against Company policy to do so for personal reasons.

Later on September 30, the grievant changed her story and indicated she obtained the customer's phone number from Caller ID on her personal phone and then asked friends at the phone company to provide the corresponding address.

At the time of termination the grievant had approximately 2 ½ years of service; an active coaching and counseling in work performance and an active Oral Reminder in attendance.

Discussion

Company opined that its relationship with customers is damaged when employees use Company records for other than legitimate business reasons. In this instance the grievant's actions were for personal reasons which generated a customer complaint. The grievant acknowledged she knew that accessing the customer account was against Company policy. Company believes the discharge was for just cause.

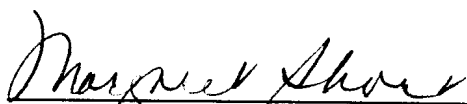
Union opined that termination is too severe. The grievant and the customer know each other. They have a strained relationship due to personnel reasons. The grievant admitted to the incident and was cooperative throughout the investigation. Had the grievant accessed customer accounts for other than business reasons and she did not have any knowledge of the customer and the facts were the same as this case, the Union would have little argument as we had in a similar case (FRO 97-08) in the same headquarters. The Union is of the opinion that this is another "quick trigger" that seems to be at the Fresno Call Center.

The PRC notes that the Employee Conduct Summary and the Call Center Employee Conduct Supplement are policies that are under management rights to manage their business and are subject to challenge by the Union if the Union finds the policy unreasonable. In this case the policies are clear and the grievant acknowledged it by her signature.

The PRC is in further agreement that to access a customer's account for other than business reasons is serious, especially when the expectation of the customer is that their accounts are somewhat confidential and expect the Company to maintain that confidentiality. By the grievant accessing the account five times with no business reason, going to the customer's residence, confronting the customer and indicating " at my office (PG&E) I can push buttons and get anything I want" led to a complaint filed during regular work hours. Being a short term employee, the grievant went over the line to consider mitigation.

Decision

The PRC is in agreement that there was just cause for the discharge. This case is closed without prejudice.

  
\_\_\_\_\_  
Margaret A. Short, Chairman  
Review Committee

12/4/00  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Bob Choate, Secretary  
Review Committee

12/4/00  
\_\_\_\_\_  
Date