



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

ROBIN WIX, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Pre-Review Committee Number 22670 Customer Care – Call Center Operations – Sacramento

Chris Diamond
Company Member
Local Investigating Committee

Arlene Edwards
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the termination of a Customer Service Representative for threatening and intimidating behaviors toward co-workers.

Facts of the Case

The grievant is a Customer Service Representative with 8 years of service. The grievant was on an active Written Reminder in Attendance, and a Coach & Counseling in Work Performance at the time of the incident.

On May 8, 2014, the grievant engaged in behaviors that created a hostile work environment by intimidating co-workers with loud verbal outbursts, slamming a trash can in an attempt to intimidate one particular employee, and physically lunging at a supervisor in an attempt to intimidate her. Several witnesses also described menacing behaviors demonstrated by the grievant toward various employees in the days and weeks prior to this incident which had not been previously reported to management.

The grievant was provided supervisor referrals to EAP prior to this incident, of which he declined. Due to the grievant's ongoing aggressive and intimidating behavior, the Sacramento Police were called and were requested to remain onsite while the grievant was escorted from the property.

Discussion

The Union argued that the grievant claimed he was being harassed by co-workers and the Company failed to fully address his concerns, which in turn caused the grievant stress and resulted in his acting out. The Union argued that the Company should have provided the grievant an opportunity to seek medical assistance rather than terminating him.

The Company argued that the grievant threatened co-workers and intimidated them, creating a hostile work environment and violating the Employee Code of Conduct. The grievant's actions were unprovoked, as noted by multiple witness accounts, and his actions created concern among several employees for their personal safety. The grievant's behavior was intimidating enough to warrant calling the Sacramento Police Department. The grievant admitted to the behavior and was aware of his obligations under the Employee Code of Conduct. Furthermore, the Company provided EAP referrals to the grievant prior to the incident and he declined to participate. At the LIC he stated he declined EAP assistance because he didn't need counseling. The Company argued it has an obligation to maintain a safe and harassment free work environment for every employee and therefore the grievants termination was warranted.

Decision

The Committee agreed the termination was for just cause. This case is closed without adjustment.

Robin Wix 6/2/15
Robin Wix, Chairman Date
Review Committee

Kit Stice June 2, 2015
Kit Stice, Secretary Date
Review Committee