



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
375 N. WIGET LANE, SUITE 130
WALNUT CREEK, CA 94598
(408) 282-7464

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

KATHY LEDBETTER, CHAIRPERSON

LLOYD CARGO, SECRETARY

Pre-Review Committee No. 25547 Gas Operations – Gas Service - Oakland

Deanna Frederickson
Company Member
Local Investigating Committee

Garrett Markwood
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the discharge of an Oakland Gas Service Representative for violations of the Company's Code of Conduct Policy.

Facts of the Cases

The Grievant was discharged in November 2020 following a Company investigation. The Company's investigation found that the Grievant violated the Company Code of Conduct and other policies. Specifically, he agreed to repair a customer furnace which is outside of his regular duties for a "tip", spent company time and assets repairing the furnace, repeatedly called the customer to obtain the money, admitted to taking monetary tips from prior customers, and had utilized his company cell phone to take inappropriate photos of himself.

The Grievant had an active Written Reminder in Attendance at the time of his discharge.

Discussion

The Committee noted that the majority of the facts in this case were not in question. However, the Union expressed concern about the investigation findings as to the length of time spent at the work location. The Committee reviewed the events in case further and determined that the length of time spent on the customer location for the first two visits appeared to have been appropriate given his work assignment. However, the third visit along with additional time spent at a Home Depot was not in support of any company issued work assignment.

The Company maintained that given the multiple serious violations of the Company's Code of Conduct substantiated in this case provide sufficient just case to terminate the Grievant.

The Union maintained that the Grievant was not clear on the company policy of gifts nor did he actually receive the money in question in this case. Further, the inappropriate pictures on his phone were a mistake and should not have led to his discharge.


Decision

The Committee agreed regardless if it was received or not, the tip solicited in this case was in fact payment for work performed outside of employment and not a gift. Further, the Committee agreed that the Grievant had misused company time and equipment to perform and seek payment for the work in question and to store inappropriate material on his company phone. The Grievant in this case was already on a Written Reminder.


Based on the facts presented in this case, the Committee agreed that the discharge as appropriate and for just cause.

This settlement should be considered closed based on the above.

For the Company:

 9/13/2021
Kathy Ledbetter, Chairperson Date
Review Committee

For the Union:

 9/13/2021
Lloyd Cargo, Secretary Date
Review Committee