



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
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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

KATHY LEDBETTER, CHAIRPERSON

DAVE SANKEY, SECRETARY

### **Review Committee No. 25723 Electric Operations – Electric T&D – San Jose**

Yvonne Bradley  
Company Member  
Local Investigating Committee

Casey Salkauskas  
Union Member  
Local Investigating Committee

#### **Subject of the Grievance**

This case concerns a Written Reminder in the Conduct category issued to an Edenvale Electric Crew Foreman .

#### **Facts of the Case**

A Company Corporate Security Department (CSD) investigation concluded that in April 2021, the Grievant inappropriately recorded a conversation during a Company Meeting without receiving prior permission. The meeting included two supervisors and an IBEW Shop Steward to review a recent performance concern but was not considered an investigative interview nor a meeting to issue any Positive Discipline.

He was issued a Written Reminder in the Conduct category based upon those findings.

The Company Code of Conduct Summary notes..."In most situations, visual or audio recordings are not permitted in meetings..." The Company also maintains the PG&E Recording of Meetings Standard provides specific instructions on obtaining approval to record meetings which were not followed and notes there are provisions of California Law regarding notification and consent.

The Grievant had no other active Positive Discipline at the time of this incident.

#### **Discussion**

While it was not clear how each of the four participants learned the conversation had been recorded by a smart phone, the Review Committee agreed that the Grievant had recorded the conversation without obtaining permission from the participants or his supervisor.

The Committee also noted that this topic had previously been addressed in Pre-Review Committee Decision No. 1640. However, in this prior case, the parties agreed to discipline related to the Grievant's insubordination and not her recording of conversations.

The Company noted that the Grievant had completed the Company provided Code of Conduct training several times. This training includes the provisions on recording conversations as well as a review of stopping and asking oneself questions such as "Is it legal and does it feel right." Given the clear expectations set in this case, the Company maintained it was a serious issue and that a Written Reminder was the appropriate level.

The Union opined that notwithstanding the Code of Conduct training referenced above, the Grievant was unaware of both the Company rules regarding recording of meetings and the relevant provisions of state law. He did not attempt to hide the fact that he was recording the meeting, and readily admitted to having done so when he was asked. The Grievant was contrite, and never actually utilized the recording for any purpose.


### **Decision**


The parties are in agreement that the Grievant had violated the Code of Conduct by his actions. However, the parties agree that given the specific facts unique to this case the discipline should be reduced to an Oral Reminder.

This case is to be considered closed based on the above and is without prejudice toward either party and non-transferable and non-referrable toward other cases.

**For the Company:**

**For the Union:**

 09/01/2022  
Kathy Ledbetter, Chairperson      Date  
Review Committee

 09/01/2022  
Dave Sankey, Secretary      Date  
Review Committee