



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
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ROBIN WIX, CHAIRMAN

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Pre-Review Committee Number 22764 Customer Care – Local Office – Clearlake

Chris Diamond
Company Member
Local Investigating Committee

Sonny Hollesen
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the termination of a Customer Service Representative for violating the Employee Code of Conduct by using confidential customer information to contact the customer after hours for non-work related reasons and for being dishonest during the Company investigation of the customer complaint.

Facts of the Case

The grievant was a Local Office Customer Service Representative with 1 year of service and no active discipline.

On July 8, 2014, while assisting a female customer the grievant told the customer's children that he would give them a sucker if they barked like a dog or meowed like a cat. The customer stated she was uncomfortable and asked him to stop. At approximately 5:28 p.m. that evening the grievant called the customer's personal cellphone. He told her his name and said he was from PG&E. He then asked her to "bark like a dog for a sucker" so she would remember him. The customer told the grievant she was busy with her children and hung-up. The customer contacted PG&E the following day to file a complaint against the grievant for his actions and for using personal information she provided to him to be used for business reasons to contact her for non-business related reasons.

During the Corporate Security investigation the grievant was dishonest when he denied contacting the customer after work hours and only admitted to his actions after he was told the Company was obtaining the customer's cellphone records.

Discussion

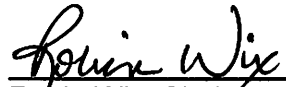
The Union argued that the grievant stated the customer gave him her cellphone number and agreed he could contact her for personal reasons. There is no clear evidence to the contrary and it is clearly a matter of his word against hers. The Union further argued that the video

shows the customer laughing and carrying on with the grievant in such a way that it makes it difficult to believe she was uncomfortable with the interaction as she later claimed. The customer did not complain about the grievant contacting her until the following day and if she was so upset by his contacting her, why didn't she call and complain immediately. It is plausible that she changed her mind after the fact and filed the complaint against the grievant.


The Company argued that the customer filed the complaint because the grievant used information he was provided solely for business reasons to make personal contact with her for non-business reasons. His actions are in direct violation of the Employee Code of Conduct. Additionally, he was unprofessional toward the customer and her children by asking them to bark like dogs and meow like cats for candy. Witness testimony in the Local Investigating Committee (LIC) report supports that the customer was uncomfortable with the grievant during the transaction and that the laughing became more forced and uncomfortable as the transaction progressed, clearly indicating the customer was uncomfortable with the grievant. The Company further argued that the grievant impeded the investigation by not being honest regarding his contacting the customer after hours and how he obtained her phone number.

Decision

After discussing this case at length and careful review of the video footage, the Committee agreed the termination was for just cause. This case is closed without adjustment.


Robin Wix, Chairman
Review Committee


Date


Kit Stice, Secretary
Review Committee


Date