



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
375 N. WIGET LANE, SUITE 130
WALNUT CREEK, CA 94598
(530) 246-6430

REVIEW COMMITTEE



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

CLAIRE IANDOLI, CHAIRPERSON

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

KIT STICE, SECRETARY

Pre-Review Committee Number 24525 Gas Operations-- Gas T&D – San Jose

Maria Eggert
Company Member
Local Investigating Committee

Casey Barker
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the issuance of a Decision-Making Leave (DML) to a Utility Construction Inspector for sending a picture via Snap Chat with an offensive caption concerning his co-worker, which violated the Employee Code of Conduct.

Facts of the Case

Grievant has been with the Company since March 2015 and is a Utility Construction Inspector.

On Saturday, September 23, 2017, many employees, including Grievant, were attending a funeral for a co-worker. While people were walking out at the end of the service, the Grievant took a picture via Snap Chat of a co-worker who was walking between two Supervisors. He wrote the caption, "get this kid some kneepads" and sent it to the co-worker he had photographed and to another co-worker.

The co-worker who was in the photograph took a screen shot of the photo, which preserved it. Both the employee photographed and the other co-worker who received it were offended by the Grievant's inappropriate, vulgar and offensive caption.

The Employee Code of Conduct provides, in pertinent part, "...treat others with respect, fairness and dignity. PG&E does not tolerate harassment or discrimination, including behavior, comments, jokes, slurs, email messages, pictures, photographs or other conduct that contributes to an intimidating or offensive environment. This includes using personal devices on company time or in company environments."

Discussion

The Union argued that the discipline was too severe in that the photograph was a joke; there was no logo or mention of PG&E in any way; the photo was taken off company property; off duty and taken with the Grievant's own personal phone.

The Company argued the co-worker who was photographed and the other co-worker who received the photo were both offended by its receipt and found the caption to be vulgar, obscene and contributed to an offensive working environment.

Decision

The Committee discussed this case at length and agreed to reduce the DML to an Oral Reminder. The Employee Code of Conduct requires that employees treat each other with respect and dignity. The parties agree to close this case on a non-precedential and non-referable basis.

Claire Ica 1/8/19
Claire Iandoli, Chairperson Date
Review Committee

Kit Stice 01/08/2019
Kit Stice, Secretary Date
Review Committee