



REVIEW COMMITTEE

IBEW



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**CASE CLOSED
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R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

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

**San Francisco Grievance No. SFO-96-32
Fact Finding No. 6469-96-180
Pre-Review Committee No 2093**

**Fresno Grievance No. FRO-96-43
Fact Finding No. 6468-96-179
Pre-Review Committee No. 2097**

**ARLENE LEE
NORA WHITLOW
Company Members
Local Investigating Committee**

**HUNTER STERN
CHUCK DAVIS
Union Members
Local Investigating Committee**

Grievance Issue

These cases involve Decision Making Leaves (DML)s issued to Service Representatives at the Fresno and San Francisco Call Centers for work avoidance which resulted in direct customer impact.

Facts of the Cases

The grievant in P-RC 2093, with five years service and no active disciplinary action, was issued a DML for muting out multiple customers and disconnecting one call. The belief on the Company's part is that the grievant, while in the ACD-IN mode (the mode which indicates the employee is available to take a customer call), would press the mute button. With calls in the queue, a call would be routed to the grievant's phone and the customer would hear nothing. After a period of time the customer would conclude there had been a disconnect and hang up. The result would be that no call was taken by the grievant, yet the statistics would look good. This conclusion was based on the following incidents:

On July 17, the Team Lead observed the grievant on several occasions (estimated at 3 to 4 times an hour) talking with different co-workers and reading the newspaper while in ACD-IN and the mute button light on. At one point the Team Lead noticed the grievant reading the newspaper, while the Team Lead's console indicated she had been on a call for 22 minutes. The Team Lead approached the grievant who indicated that the customer had put her on hold to go to the bathroom. At 30 minutes, the Team Lead instructed the grievant to end the call. The Team Lead added that the grievant would sometimes release the mute button and take a call when she noticed him watching her.

On July 24, the Team Lead observed the grievant talking to another employee. According to the Team Lead's console, the grievant had been in the ACD-In mode for 2 minutes and 23 seconds. At 2 minutes and 32 seconds, the Team Lead heard the grievant say "PG&E, may I help you?". The grievant couldn't remember the July 24th incident, but explained that sometimes she disconnects her headset (and keeps it on) to walk around to take a call on the emergency line or to help another Rep. When she returns she presses the button to take another call and hears nothing. She doesn't realize she's forgotten to plug back in until she sees someone else taking a couple of calls or looks at her phone and sees the light on telling her there is a call waiting.

On July 26, the Team Lead noticed the grievant having a discussion with another employee while in the ACD-In mode and calls in the queue. Two minutes later, the grievant was again observed in a conversation with an employee while in the ACD-IN mode and calls in the queue. At that point, the Team Lead remote monitored the grievant's call for 44 seconds. There was nothing remarkable about the conversation, however it was disconnected immediately after the customer asked "whom am I speaking with". The grievant stated that she did not disconnect the call, but acknowledged she did not follow the proper procedure in reporting the lost call or calling the customer back.

The grievant in P-RC 2097, with eight years service and a coaching and counseling in the attendance category, was issued a DML as a result of multiple incidents of phone manipulation to avoid taking calls. Included in these calls was one which was designated as an emergency call by the customer. This conclusion was based on the following incidents:

On June 21, the grievant was remote monitored. An emergency call was received at 8:38 a.m. (a Service Rep is alerted that a call is an emergency by a message displayed on the screen and a whisper in the headset when the call comes in). According to the Team Lead, the grievant did not greet or initiate dialog with the customer, but instead immediately put the customer on hold for 3 minutes and 13 seconds.

Supervision also reviewed Agent Trace Reports (detailed reports of phone activity) for multiple days and identified more than 30 incidents where the grievant manipulated the

phone system to avoid work. Most of these calls involved the grievant taking a call for a short period of time (from 1 to 4 seconds) and then transferring the call back into the queue or putting the customer on hold (for 3 to 4 minutes). In some instances there were disconnects following the period on hold. The Company concluded that the grievant was taking calls and immediately putting the customer on hold to either delay having to take the call or in hope that the customer would simply conclude there was a phone problem and hang up.

Discussion

The Committee discussed that since the opening of the Call Centers, there have been situations in which some employees have manipulated the phone system in order to avoid or delay taking calls. Some of these work avoidance methods (such as "aux-toggling") result in shifting work to fellow employees, and have an indirect impact to the customer (i.e. longer time in the queue). Other work avoidance methods (such as "muting out" customers, or taking a call and immediately putting the customer on hold) also shift work to fellow employees, and have a direct impact on the customer (i.e. disconnects or unnecessary time on hold). Generally, the Call Centers have been issuing Written Reminders in cases of work avoidance with indirect customer impact and DMLs in cases of work avoidance with direct customer impact.

A considerable amount of training and emphasis is placed on serving our customers both in terms of speed and quality. The vast majority of our employees recognize and respond to the need to properly serve the customers. An employee engaging in phone manipulation to avoid work is not only failing in the responsibility to properly serve the customer, but is also demonstrating disregard for co-workers and the Company. The Company considers it a serious matter when employees intentionally go out of their way to avoid doing the job they are paid to do.

Turning to the facts of the cases at hand, the P-RC noted that both employees were issued DMLs as a result of work avoidance with direct impact to the customer. In an attempt to better understand the Company's phone system, employee expectations, and terminology, the P-RC met with management and bargaining representatives at the Sacramento Call Center. With this additional information and after a thorough discussion of the facts of the cases, the P-RC reached the following conclusions:

In P-RC 2093, the conclusion that the grievant intentionally manipulated the phone system to avoid work was based on supervisory observations on two days. The grievant's explanation was that she was put on hold by the customer or that she had forgotten to plug back in. Based on the P-RC visit to Sacramento, it appears that the explanation is plausible. The Company Committee member concluded that the July 31 Agent Trace Report attached to the LIC Report shows intentional manipulation. The Union Committee member pointed out that the grievant was not disciplined for any activity on that date.

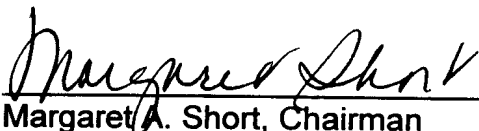
Additionally, in P-RC 2093, the most serious charge is that the grievant intentionally disconnected a customer call on July 26. The supervisor had listened to 44 seconds of the conversation before the disconnect. There was nothing in that conversation, nor in the follow up call to the customer which would indicate a reason for the grievant to intentionally disconnect. The P-RC concluded that the preponderance of the evidence does not support the conclusion that the grievant intentionally hung up.

The grievant in P-RC 2093 did, however, fail to follow the proper procedure of reporting the disconnect. Additionally, although the grievant stated it was unintentional, the record indicates that the employee did cause at least one customer to wait on hold unnecessarily. Therefore, while the record does not support the conclusion that the grievant intentionally manipulated calls, disciplinary action in the work performance category was warranted. The P-RC agreed that the level of discipline commensurate with the performance would be an Oral Reminder.

In P-RC 2097, the evidence supports the conclusion that the grievant was manipulating the phone system in order to avoid taking calls. It appears that this manipulation resulted in disconnected calls (either by the employee or the customer). Additionally, the record supports that the grievant put a call designated as emergency on hold for 3 minutes and 13 seconds. The P-RC concludes that DML was issued for just cause.

DECISION

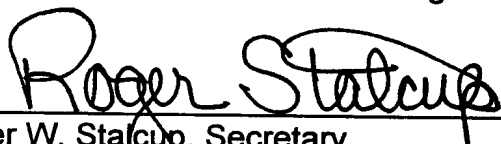
Both of their DML's have been deactivated, however, the Pre-Review Committee concluded that the DML in P-RC 2093 should be reduced to an Oral Reminder. The DML in P-RC 2097 was issued for just cause. These cases are closed with the above understandings.



Margaret A. Short, Chairman
Review Committee

1/23/98

Date



Roger W. Stalcup, Secretary
Review Committee

1/23/98

Date