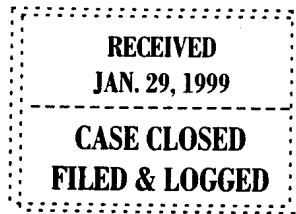




REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(510) 974-4282



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Arbitration Case 224
Business Manager's Grievance Nos. 97-03, 97-04
97-06, 97-10, 97-11, 97-12 and 97-13

Grievance Issue:

Union alleges Company is in violation of Subsection 207.2(b) of the Physical Agreement and Letter Agreement 95-145. The Company is using Hiring Hall employees in Departments that are below their floor numbers.

Facts of the Cases

Grievance Nos. 97-03 and 97-04, **Steam:** Hiring hall employees are working in Operating, Electrical, Mechanical, Technical and Clerical Departments. In Letter Agreement 97-53, the parties agreed that the provisions of Section 207.2 would not apply to divested facilities. When that occurred, the floor number for the remaining facilities would need to be revised. A method of revising the Section 207.2 floor number for non-triggered plants was agreed to by the parties.

Grievance No. 97-06, **Building Services:** The department is currently at their floor number and is not using hiring hall employees or contracting. This department is in compliance with Section 207.2 of the Agreement.

Grievance No. 97-10, **Materials Warehouse:** The floor number established at the time of the filing of the grievance is 359. There are currently 329 employees and 29 hiring hall employees

Grievance No. 97-11, **Gas Service:** The floor number is 897. There are currently 862 employees and 20 hiring hall employees..

Grievance No. 97-12, **Gas M&C:** The floor number is 201. There are currently 189 employees and seven hiring hall employees.

Grievance No. 97-13, **Electric Meter:** The floor number is 153. There are currently 145 employees and eight hiring hall employees.

Decision:

The following method was agreed to on the calculation of floor number for the Generation Departments.

Floor # = the number of employees (not including hiring hall) in a department the day prior to the "trigger" date described in Letter Agreement 97-53 minus the number of employees (not including hiring hall) in the departments at the "triggered plants" on the "trigger date". Once the floor numbers are determined, if Company is below the floor number and utilizing hiring hall employees at non-triggered plants it shall come into compliance at those plants by:

- eliminating the hiring hall positions and
- filling sufficient positions to have a net gain in the employee count equal to the number of hiring hall positions eliminated or
- hire up to the floor number

The floor number for Steam Generation is as follows:

| | Mechanical | Technical | Electrical | Operating | Clerical |
|--------------------------------------|------------|-----------|------------|-----------|----------|
| Floor No. | 130 | 175 | 7 | 166 | 121 |
| Current No. | 104 | 169 | 7 | 136 | 104 |
| Hiring Hall Non-triggered Plants No. | 1 | 0 | 2 | 2 | 1 |

Based on the above chart one position may need to be added to Mechanical, two positions may need to be added to the Operating and one position to the Clerical Departments.

It was determined that contractual violations did occur in grievances 97-10,11,12, and 13. To resolve these cases, it was agreed without prejudice to:

"Bring the number of regular positions up to the floor number or eliminate all hiring hall positions in the department and fill positions equal to the hiring hall positions eliminated."

In the future, prior to Company implementing Title 206/306/19 activity in any department of Company (except 206.15/306.11/19.14; 206.16/306.12/19.15; or 206.17/19.16), it shall first meet with Union. The purpose of the meeting will be to review whether the displacing department is contracting or utilizing hiring hall employees. If so, the contracting must cease and the hiring hall employees must be eliminated unless the parties reach agreement to substitute other provisions.

For Title 200 employees the parties will review compliance with Section 207.2.


For Title 300 employees, compliance with Letter Agreement 95-145 shall be based on departments as described in Exhibit II of the Physical Agreement.

In the Clerical bargaining unit compliance with Letter Agreement 95-145 and Section 24.5 shall be based on departments as described in the Title 19 Clarification.

A joint committee will resume meeting and by March 31, 1999, make a joint recommendation to the Industrial Relations Manager and the Business Manager to address hiring hall positions as separate and additional opportunities pursuant to Title 206/306/19 opportunities.

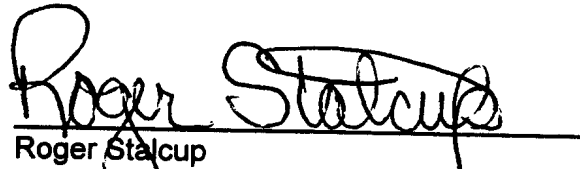
These cases are considered closed based on the above understandings. Each Department in this case, except Building Services shall inform the Review Committee, in writing by March 1, 1999 as to how it will comply with this decision. Each Department shall further notify the Review Committee when compliance has occurred.

It is understood and agreed that for the future, the parties will abide by the specific provisions of the Agreement for the purpose of floor numbers and the bar on contracting or using hiring hall employees.



Margaret A. Short
Chairman, Review Committee

1/29/99
Date



Roger Stalcup
Secretary, Review Committee

1/29/99
Date