

Local Investigating Committee
Joint Statement of Facts
Grievance No. IR-IBEW 99-02

Subject of the Grievance:

The Union alleges that the Company is using Hiring Hall employees and are below their Section 207.2 floor numbers in violation of the Agreement.

Exhibits:

1. Grievance No. IR-IBEW-99-02
2. 88-104 Quarterly System Reports
3. Letter Agreement 95-145
4. Open Vacancy Reports, dated 2/2/00
5. Open Unrestricted, dated 2/2/00
6. Title 200 vacancies filled in 1999 and to date in 2000
7. Hiring Hall Report dated 01/21/00
8. April 23, 1999 e-mail Joe Cerruti to Marty Rateau

Facts of the Case:

The Local Investigating Committee comprised of Roger Stalcup, Assistant Business Manager and Ken Ball Senior Business Representative, for the Union and John Moffat Senior Negotiator and Marty Rateau, Senior Human Resources Advisor for the Company met on April 29, 1999. Moffat and Stalcup met again on January 26, 2000

The floor number for Substation Maintenance Department is 272. As of March 31, 1999 there were 264 permanent positions filled. At that same time, there were 12 Hiring Hall employees working in the Department. As of June 30, 1999, the department had 264 regular positions filled. Although the department had filled 12 positions since April 29, 1999, because most bidders came from within the department, the head count remained unchanged. When the LIC reviewed this case on April 23, 1999, there were two employees on long term temporary upgrade (in excess of 12 months) in the department.

As of February 2, 2000, the Department is at 267 regular positions filled and was still utilizing five hiring hall employees. The Company is in the process of filling four positions through Job Bidding and Transfer and had one released for unrestricted appointment.

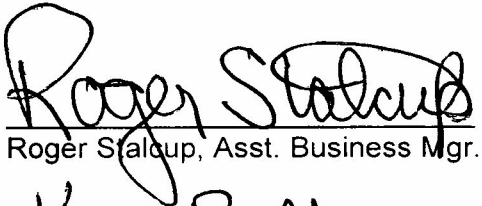
Since January 1, 1999, the Department has filled 21 positions.

Company agrees that at the present time they are below the floor number and have been out of compliance with the provisions of Section 207.2 of the Agreement continuously since sometime prior to the filing of this grievance on March 5, 1999. Company plans to return the upgraded employees and fill the outstanding positions which put the department back into compliance.

Statement and Referral:

The Company is not yet in compliance with the 207.2 but is working toward compliance. The Union continues to maintain the position that the Company is in non compliance with both 207.2 and has not made a significant effort in all of the departments to come into compliance.

The Committee agrees that the department must fill regular positions to restore the floor number. The Company will make a good faith effort to fill the positions in an expeditious manner and will provide the Union with weekly status report.


Roger Stalcup, Asst. Business Mgr.

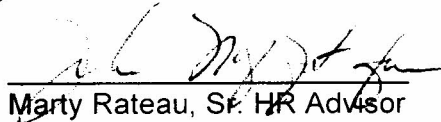
5/16/00
Date


Ken Ball, Sr. Business Rep.

5/16/00
Date


John Moffat, Sr. Negotiator

5/16/00
Date


Marty Rateau, Sr. HR Advisor

5/16/00
Date