

Local Investigating Committee
Joint Statement of Facts
Grievance No. IR-IBEW 99-05

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-99-05
2. 88-104 Quarterly System Reports
3. Letter Agreement 95-145
4. Open Vacancy Reports, dated 02/02/00
5. Open Unrestricted, dated 02/02/00
6. Title 200 vacancies filled in 1999 and year to date
7. Hiring Hall Report dated 01/21/00

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, Dan Nealon, Senior Human Resources Advisor for the Company met on April 29, 1999. Stalcup and Moffat met again on January 26, 2000.

The floor number for Materials Electric Utility Department is 46. As of March 31, 1999 there were 44 positions filled in the department. The Company was utilizing seven Hiring Hall employees in the Department at that time. Currently the department has 42 regular positions filled. There are no hiring hall employees currently working in the department. The Company filled three positions subsequent to the filing of the grievance. The Company is not in the process of filling positions through Job Bidding and Transfer or through unrestricted appointment.

It appears the department released all the hiring hall employees, and did fill some regular positions. However, the department never restored the number of regular positions up to the floor number. As such, they continue to be in violation of the Agreement.

Statement and Referral:

Company agrees that at the present time they are below the floor number and are out of compliance with the provisions of Section 207.2, but take the position that it does not make sense to fill positions just to turn around and release the employees. The hiring hall has not been used for some time and there is not now sufficient work for additional employees.

The Local Investigating Committee in an effort to resolve the issue in this grievance agreed that the department cannot contract under Section 207.2 or Exhibit 16 of the Agreement until the department is at an employee count of 46. This case is closed.

Roger Stalcup
Roger Stalcup, Asst. Business Mgr.

5/16/00
Date

Ken Ball
Ken Ball, Sr. Business Rep.

5-16-00
Date

John Moffat
John Moffat, Sr. Negotiator

5/14/00
Date

Dan Nealon
Dan Nealon, HR Advisor

5/16/00
Date