

Local Investigating Committee
Joint Statement of Facts
Grievance No. IR-IBEW 99-07

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-99-07
2. 88-104 Quarterly System Reports
3. Letter Agreement 95-145
4. Open Vacancy Reports, dated February 2, 2000
5. Open Unrestricted, dated February 2, 2000
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, Mary Rateau, Senior Human Resources Advisor for the Company met on April 29, 1999 and again Stalcup and Moffat met on January 26, 2000.

The floor number for Transmission Line Department is 74. As of March 31, 1999 there were 69 regular positions filled, excluding one position where the employee had been upgraded out of the unit in excess of 12 months. The Company had nine Hiring Hall employees working in the Department as of March 31, 1999. On April 12, 1999, the department had 70 positions filled and had eight Hiring Hall employees. As of January 26, 2000, there were 67 regular positions filled and the department had one hiring hall employee. One employee was still upgraded out of the bargaining unit, and had been for more than 12 months. The Company is not in the process of filling positions through Job Bidding and Transfer. During 1999 and year to date the department has filled four positions.

Statement and Referral:

Company agrees that at the present time they are below the floor number. The Company will look at returning the long term upgrade. The Company voiced concern regarding the current staffing versus where the current work force is needed. The Union stated that Company needs to fill positions sufficient to restore the floor numbers. Union notes that at each point in time the LIC has reviewed the numbers for this department, there have been fewer regular positions filled than was the case at the last check of numbers. Notwithstanding this, however, to date, the department has not discontinued the utilization of hiring hall employees. If work is not there, then effect Title 206 to get the workforce to the location(s) where needed.

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

Roger Stalcup, Asst. Business Manager

5/16/00

Date

Ken Ball

Ken Ball, Sr. Business Rep.

5/16/00

Date

John Moffat

John Moffat, Senior Negotiator

5/16/00

Date

Marty Rateau

Marty Rateau, Sr. HR Advisor

5/16/00

Date