

# REVIEW COMMITTEE

**PG and E**

**IBEW** 

PACIFIC GAS AND ELECTRIC COMPANY  
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INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(415) 933-6060  
L.N. FOSS, SECRETARY

L.V. BROWN, CHAIRMAN

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Fact Finding Committee No. 218-76-20  
Shasta Division Grievance No. 13-1-76-1  
P-RC 222  
Discontinuance of Tuesday-Saturday Workweek,  
Communication Technicians, Burney

March 10, 1976

MR. M. L. MOORE, Company Member  
Shasta Division  
Local Investigating Committee

MR. W. R. STEWART, Union Member  
Shasta Division  
Local Investigating Committee

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned to the Division for settlement in accordance with the following:

The grievance concerns the Division's action in continuing the Tuesday-Saturday rotating workweek for Burney Communication Technicians beginning on Saturday, December 2, 1975, and for approximately four months thereafter. The Joint Grievance Committee in its meeting of September 17, 1974 agreed to discontinue the Tuesday-Saturday rotating workweek for the months of December, January, February and March, and the Union is alleging that the Company is in violation of that settlement.

The issue appears relatively easy to resolve in view of the Joint Grievance Committee's settlement. However, in view of the past practice starting with the failure ten years ago of the Division representative and the Local Union representative to agree to a Tuesday-Saturday schedule and the acquiescence that followed for a number of years, the case becomes rather complex and difficult to resolve.

The establishment of a Tuesday-Saturday basic workweek rotating schedule for Communication Technicians was an issue during the general negotiations of 1966, and as a result of these negotiations, Company and Union adopted certain statements of principles applicable to schedules which would be established under the provisions of Subsection 202.16(b) of the Labor Agreement. This included the scheduling of Communication Technicians to work Saturdays or Saturdays and Sundays when the need existed, by agreement with Union providing Company could justify the need. The Divisions, at that time, were instructed to locally agree to their scheduling arrangements and submit them pursuant to Subsection 202.16(b) of the Agreement for signature by the Manager of Industrial Relations and Business Manager of Local Union 1245, IBEW. Any future changes or revisions would also necessitate the respective Manager's concurrence. The Joint Statement of Facts indicates that in Shasta Division this was never done even though a Tuesday-Saturday rotating schedule was instituted, amended

Messrs. M. L. Moore  
W. R. Steward

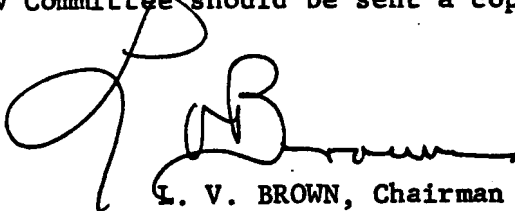
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March 10, 1976

and remained in effect for a number of years without formal objections from anyone concerned. Sometime in 1974, grievances were filed concerning various problems with the Tuesday-Saturday workweek at Burney which produced the September 1974 Joint Grievance Committee settlement that is currently at issue. Company now contends that due to operating requirements, a need exists for the Tuesday-Saturday schedule, and this is the reason why the Division did not discontinue it in December 1975. The grievants are alleging that they should immediately be placed on the Monday-Friday workweek, and until such time they should be paid the straight rate of pay for the Mondays that they have not worked and overtime for the Saturdays they have worked.

The Pre-Review Committee is of the opinion that both parties have improperly handled this situation, and due to the acquiescence of all concerned, the rotating Tuesday-Saturday workweek in effect constituted a waiver of the applicable Contract provisions. Compounding the problem, the Joint Grievance Committee does not have the authority to enter into an agreement establishing or amending work schedules pursuant to Subsection 202.16(b) of the Agreement. That authority rests only with the Manager of Industrial Relations and Business Manager of Local 1245, IBEW. Thus, the proposed change was ineffective, and the correction asked for cannot be granted. The course of action now is for the parties to sit down locally and review the merits of the Company's contention that Communication Technicians are currently required, by need, to work Tuesday-Saturday rotating schedules for 12 months of the year. Once this has been done and if the parties reach an impasse relative to the need for this schedule, then a grievance should be filed contesting the failure of the Company to discontinue the schedule.

When a settlement is reached by the Local Investigating Committee, the Review Committee should be sent a copy of the final disposition.



L. V. BROWN, Chairman  
Review Committee



L. N. FOSS, Secretary  
Review Committee

DJBergman:rto

cc: FCMarks  
IWBonbright  
Personnel Managers

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