

PG and E

FOR INTRA - COMPANY USES

INDUSTRIAL RELATIONS

DIVISION OR DEPARTMENT GENERAL CONSTRUCTION
 PERSONNEL DEPARTMENT

FILE NO.

RE LETTER OF

SUBJECT Grievance 3-163-77-34 (P-RC 321)

NOV 8 1978

| | | |
|-----|-----|-----|
| IWB | PEP | RLS |
| LVB | PNL | RTO |
| DJB | MMC | JAC |

November 6, 1978

RECEIVED NOV - 9 1978

MR. L. V. BROWN JR.:

On May 27, 1977 Grievance 3-163-77-34 was referred from the General Construction Joint Grievance Committee to the Review Committee. On October 20, 1977 the Pre-Review Committee returned the case to the Joint Grievance Committee to determine certain facts and answer certain questions.

The Joint Grievance Committee has reviewed the case and has prepared a Revised Statement of Facts. This Revised Statement and related documents are enclosed.

L. C. Beanland
 L. C. BEANLAND

DKLee (2011):eb

cc: RSBain
 GSBates
 WFunabiki
 RIron
 WMStubblefield

REVISED STATEMENT OF FACTS
GENERAL CONSTRUCTION GRIEVANCE
3-163-77-34 (P-RC #321)

On November 11, 1976, Bobby R. Owens was promoted from Welder to Working Foreman B. The Grievants, all Working Foreman C's working in the same promotion-demotion geographic area as Owens, all had more Company service than did Owens.

Union Position:

Union's position finds its basis in the language of the Agreement, specifically Sub-section 305.5 (a): In the case of each such promotion such preferential consideration shall be given to the employee who qualifies under the provisions of Section 306.9, then to that employee who has the greatest Service and is at the top rate of of pay in the classification next lower in the normal line of progression to the one in which the vacancy exists, provided that the employee is fully qualified to perform the duties of the job which is vacant, and provided further that the employee is headquartered in the area which the vacancy exists.

Company argues the above language was not violated, claiming the bypassed employees are not "fully qualified to perform the duties of the job which is vacant". Company bases this position upon the claim that welding was required and that the Working Foreman was required to perform his own welding.

Union agrees that some welding was required on the jobs that were supervised by Owens. Union, however, points out that there are many employees in the GC Gas Department, classified as Working Foreman "B", who supervise crews where welding is a requirement of the job, but is done by employees in the various welding classifications because the supervisor does not have welding craft skills. All employees classified as Working Foreman are required to exercise their craft skill in addition to supervising the crew. When work on a job requires a skill that is different than the Working Foreman's craft skill, an employee who is trained and qualified in that specific craft skill is assigned to the crew to perform that function. It is a common practice for Working Foremen with equipment operations craft skills to be assigned jobs that include welding. When this is done, a welder is assigned that work. Conversely, and routinely, Working Foremen with welding craft skills are assigned jobs that require equipment operation, and employees with equipment operator craft skills are assigned to the crew.

In any event, no matter what craft skill background the Working Foreman comes from, he is responsible for the work performed by the employees assigned to the crew, even though the work may have been performed by an employee who has a different craft skill background than his own.

Company's supervisors have total control over the assignment of jobs to Working Foremen and have total control over the sequence those jobs will be worked. When a vacancy occurs in the Working Foreman classification and the Company reviews employees in the next lower classifications in the line of progression in order to award the vacant job, all employees in the classifications next lower should be given consideration, on the basis of Company Service. Company's position is that the craft skill required by the job at hand dictates who will be given consideration. If the job at hand requires some welding, only employees with welding craft skills will be given consideration. All others will be eliminated from consideration by Company for alleged lack of qualifications. The employee then promoted on the basis of his craft qualifi-

cation then performs the job at hand. When that job is complete, he then may be assigned another job that does not require that he perform his craft skill. When that is the case, another employee who possesses the needed craft skill is assigned to the crew to perform that function. Therefore, the employees craft skill is important only when the promotion actually occurs; it is not important after the promotion has taken place.

A further fact that requires examination in the specific case at hand is the actual welding required of, and performed by the promoted employee, Owens. Attached to this report are twelve Daily Crew Log sheets that were prepared by Owens for the first twelve work days he supervised the crew. Those logs reflect that for the first seven work days, the crew was assigned a welding truck and an arc welding machine; on the last five days there was no welding truck or arc welding machine. In examination of the work performed, it is apparent that only on 11-12 and 11-15 was any welding work required at all, and on those dates the actual welding required was minimal. On the other dates shown, the work primarily involved the installation of plastic gas main and service pipe. No welding is required for this work.

Company Position:

The jobs on which Mr. Owens worked required welding which he performed. As a Working Foreman "B" he directly supervised a crew containing one Trencher Operator and one Miscellaneous Equipment Operator "B". These two supervised employees had no welding skills. Union's interpretation of the 12 attached Daily Crew Log sheets is not accurate. Welding was performed on five of the 12 days. Company disputes Union's statement that the actual welding performed on these days was minimal. Mr. Owens subsequently was assigned the majority of the work in the Modesto area. It was impractical and inefficient to retain a Welder in the Modesto area when welding was required on only about half of the jobs. Union is suggesting "featherbedding" practices by claiming more people than necessary be added to crews.

Employment History of Grievants

E. Rauser:

09/01/64 - New hire, Helper
07/01/65 - Apprentice Welder
08/15/66 - Working Foreman C
09/14/66 - Apprentice Welder
02/01/68 - O/A Welder
10/16/68 - Working Foreman C
01/10/72 - Working Foreman B
05/21/75 - Working Foreman C
07/08/75 - Working Foreman B
12/05/75 - Working Foreman C
01/20/76 - O/A Welder
03/22/76 - Working Foreman C
04/22/76 - Helper
04/23/76 - MEOB
05/18/76 - Working Foreman C
05/23/77 - Working Foreman B

D. W. Holcombe:

03/15/65 - New hire, Laborer
07/01/65 - Carpenter C
07/06/70 - Carpenter B
05/20/76 - Working Foreman C

Employment History of Grievants (Con't)

R. J. Baker:

08/24/65 - New Hire, Helper
12/02/65 - Pipe Wrapper H/S
08/25/66 - MEOB
06/19/68 - Tractor Operator B
02/03/69 - MEOB
03/20/69 - Truck Driver Heavy
04/28/69 - Tractor Operator B
11/03/69 - Working Foreman C
02/25/72 - Working Foreman B
02/10/75 - Tractor Operator B
04/01/75 - Working Foreman B
05/21/75 - Working Foreman C
07/08/75 - Working Foreman B
11/03/75 - Tractor Operator B
02/25/76 - Helper Gas T&D
03/29/76 - Fieldman
07/26/76 - Clerk Driver
08/26/76 - Working Foreman C
08/01/77 - Working Foreman B

B. Owens:

10/11/65 - New hire, Laborer
11/16/65 - Helper
10/13/66 - Apprentice Welder
10/30/67 - Arc Welder
02/12/68 - Apprentice Welder
05/17/68 - Arc Welder
06/01/72 - Welder
11/11/76 - Working Foreman B

W. F. Funnabai

For the Company

Edward A. Jordan

For the Union

10-2-78

Date

11/3/78

Date