

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
 R.W. STALCUP, SECRETARY

**CASE CLOSED
 LOGGED AND FILED**

MAR 16 1983

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

East Bay Division Grievance No. 1-1577-82-67
 P-RC 775

March 15, 1983

MR. R. A. CLARK, Company Member
 East Bay Division
 Local Investigating Committee

MR. J. VALENTINO, Union Member
 East Bay 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, pursuant to Step Five A(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case concerns the temporary upgrade to a Supervising Clerk B, Gas Department, Concord.

Facts of the Case

As a result of the 1980 General Negotiations, the classification of Supervising Clerk B was eliminated from Exhibit F of the Clerical Agreement. This created a situation where there were no prebids on file.

Prior to the elimination of the Supervising Clerk B classification, the next lower classification was Clerk A - Operating (Senior Operating Clerk II). There was no Senior Operating Clerk II in the Gas Department, Concord, nor in any of the other Operating Clerical offices (Gas or Electric) in Diablo District. Following the guidelines set forth in Review Committee Case No. 1005, the Division attempted to fill the temporary vacancy by offering it to those clerks in successively lower classifications. There was one Senior Operating Clerk I, Electric, Concord, who was asked if he wanted to assume the duties on a lateral basis. He declined. An Operating Clerk, Gas, Concord, relieved for a short period. Ultimately, an Operating Clerk, Gas, Walnut Creek, filled the vacancy on a temporary basis and was compensated at the Supervising Clerk B rate until the retirement of the incumbent.

Subsequent to the retirement of the incumbent, the position was reclassified to Senior Operating Clerk I - Gas and posted for prebid in accordance with Subsection 18.4(h) of the Clerical Agreement. The new job was awarded to the

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employee who had been temporarily upgraded. During the period between the retirement of the incumbent and the filling of the job on a permanent basis, the Operating Clerk, Gas, Walnut Creek, was compensated at the Senior Operating Clerk I rate.

Decision

As the parties have agreed before in previous settlements, lacking prebids no one has a contractual right to an upgrade. The Pre-Review Committee is in agreement that no violation of the Agreement occurred. This case is considered closed on the basis of the foregoing, and should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

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