

**REVIEW COMMITTEE****PG and E**

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D.J. BERGMAN, CHAIRMAN

**IBEW** 

INTERNATIONAL BROTHERHOOD OF  
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R.W. STALCUP, SECRETARY

**CASE CLOSED  
LOGGED AND FILED**

FEB 18 1983

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1077-82-36  
P-RC 786

February 14, 1983

MR. R. S. BAIN, Chairman  
General Construction  
Joint Grievance Committee

MR. G. VALLEY, Chairman  
General Construction  
Joint Grievance Committee

Grievance Issue

An employee elected layoff in lieu of transfer to another job allegedly because he was given an incorrect rate of pay for the classification to which he could have transferred.

Facts of the Case

On January 21, 1982, the grievant, a Station Construction Helper working at Pittsburg Power Plant, was given the option, pursuant to Title 306 of the Agreement, to displace a Garageman in the General Construction Gas-Mechanical Services Department at the Oakland Service Center, or accept a layoff for lack of work. The grievant was told that his rate of pay as a Garageman would be \$371.30 per week. However, since the grievant was receiving the top Helper pay rate (\$440.30/week), his pay rate as a Garageman actually would have been \$433.30/week (top Garageman rate). The grievant elected layoff, and was laid off due to lack of work on January 22, 1982.

The grievant told the Local Investigating Committee that he was residing in Antioch when he was given the above option. He indicated that he elected to be laid off rather than accept the Garageman position because he did not want to take a \$69 per week pay cut and at the same time increase his commute distance without receiving per diem expense allowances. (Since Garageman is a Service Center classification, the grievant would not have been eligible for per diem allowances had he accepted the Garageman position.) The grievant stated that he would have accepted the Garageman job if he had been given the correct rate of pay.

Discussion and Decision

The Pre-Review Committee is in agreement that the incorrect wage rate quoted to the grievant probably was a significant factor in his decision to accept layoff in lieu of transferring to the Garageman classification in Oakland. The Committee investigated the length of time the grievant would have continued on the

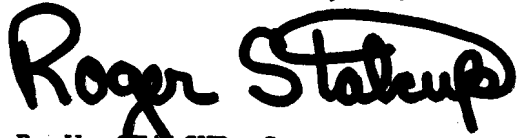
February 14, 1983

payroll had he accepted the Garageman position, and found that he would have remained employed for 19 additional days (measuring from the date grievant was laid off).

Therefore, the grievant will be paid 19 additional days as a Garageman at \$433.30 per week, and his layoff date will be changed to February 18, 1982. The case is closed on this basis.



D. J. BERGMAN, Chairman  
Review Committee



R. W. STALCUP, Secretary  
Review Committee

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