

REVIEW COMMITTEE**PG and E**

PACIFIC GAS AND ELECTRIC COMPANY
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IBEW 

**CASE CLOSED
LOGGED AND FILED**

FEB 18 1983

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1072-82-31
P-RC 801

February 11, 1983

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

MR. GREG VALLEY, Chairman
General Construction
Joint Grievance Committee

Subject of the Grievance

Bypass for temporary upgrade to Subforeman "B."

Facts of the Case

The grievant is a Garage Working Foreman at the General Construction Service Center in Oakland. On February 10 and 11, 1982, the grievant, who was working on the night shift at the time, was bypassed for temporary upgrade to Subforeman "B."

The grievant's supervisors told the Local Investigating Committee that he was not qualified to hold the Subforeman "B" classification in February, 1982. Evidently, they based their conclusions on prior observations in which the grievant failed to perform supervisory and technical duties as should be expected of someone with his experience. Additionally, one supervisor told the Local Investigating Committee that the person upgraded instead of the grievant was another Garage Working Foreman who supervised a majority of the employees on the night shift immediately prior to his upgrade. The supervisor indicated that, therefore, the Service Center supervision decided there would be less disruption if this Garage Working Foreman was upgraded rather than the grievant, and that this was one of the factors which led, in turn, to the decision to not upgrade the grievant.

The grievant previously had held the Subforeman "B" classification for one two-week period in 1980.

Discussion

The Pre-Review Committee learned that in November, 1982, the grievant was re-evaluated and deemed qualified for upgrade to Subforeman "B." The Committee noted that the grievant's present eligibility for upgrade and his two-week upgrade in 1980 sandwich the subject bypass. As a result, the Committee concluded that two reversals of opinion regarding the grievant's qualifications must have occurred in this two-year period. There is nothing in the record which accounts for these apparent opinion reversals.

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The Committee also has no evidence which indicates that the grievant was made aware of the problems delineated by his supervisors, or that his supervisors were working with him to correct these perceived problems.

Finally, the Committee noted that the grievant apparently was bypassed, in part, because he did not happen to be supervising a "majority of the employees." There is no Company-Union agreement which states or implies that such a factor is appropriate in the determination of which employee should be upgraded.

Decision

A supervisor's opinion about an employee's qualifications usually carries great weight, and the supervisors' opinions in this case are no exceptions. However, when these supervisors' opinions are placed on the balance with the aforementioned factors, each of which casts some doubt on the appropriateness of the subject bypass or the appropriateness of the grievant's treatment prior to the bypass, it is the Committee's opinion that the bypass was not justified.

Therefore, the grievant will be paid as a Subforeman "B" for February 10 and 11, 1982. The case is closed on this basis.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

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