

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

PACIFIC GAS AND ELECTRIC COMPANY
 245 MARKET STREET, ROOM 444
 SAN FRANCISCO, CALIFORNIA 94106
 (415) 781-4211, EXTENSION 1125

**CASE CLOSED
 LOGGED AND FILED**

JUL 8 1986

INTERNATIONAL BROTHERHOOD OF
 ELECTRICAL WORKERS, AFL-CIO
 LOCAL UNION 1245, I.B.E.W.
 P.O. BOX 4790
 WALNUT CREEK, CALIFORNIA 94596
 (415) 933-8060
 R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED JUL 8 1986

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Francisco Division Grievance No. 2-1108-85-36
 P-RC 1059

July 7, 1986

KENT H. ANDERSON, Company Member
 Golden Gate Region
 Local Investigating Committee

JOE VALENTINO, Union Member
 Golden Gate Region
 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(v) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This grievance concerns Company's refusal to accept a grievance filed on behalf of "all affected employees."

Facts of the Case

On February 15, 1985, Golden Gate Region refused to accept a grievance which was being filed on behalf of Local 1245 and all affected employees. The subject grievance was filed over the refusal to process the earlier grievance, and it was the Company's position that it "would accept a grievance on behalf of Local 1245 but not for all affected employees. In order to properly apply various contract sections, Company requires the names, dates and alleged infractions to process grievances for specific employees."

It was the Union's position that it has been common practice on the system to investigate the grievance issue and then determine which employees are affected by the resolution. Union offered several examples in which such grievances had been filed, accepted and processed. The Union also argued that it does not always have access to all pertinent information at the time the grievance is filed.

Discussion

In discussion of this case, the Committee agreed that where the Union is unable to determine who all the potentially affected grievants are, for example, in a grievance alleging improper displacements, it is not inappropriate for the Union to file on behalf of all affected employees. In addition, in cases where the Union is denied access to information necessary for the determination of who the potential grievants are, or where the information may be incorrect or unavailable, the grievance may be filed for all affected.

July 7, 1986

In such circumstances, the Committee agreed that Union may file a grievance on behalf of "all affected employees" and that such grievance would be processed in the usual manner except that the Local Investigating Committee would identify the proper grievants prior to resolving the issue in the grievance and identifying liability, if any.

On the other hand, if all relevant information is readily available, the Union has an obligation to use the available information to determine who the affected employees are. The parties recognize that there may be infrequent occasions when the Company will accept a grievance for "all affected" when because of the pending expiration of the time limits for filing, there is insufficient time for the Union to review the pertinent information to determine the proper grievants.

Without the named employees, Company is unable to properly investigate the grievance. The Committee believes that much of the information on affected employees can and should be determined when the grievance is "first stepped" by the Shop Steward with the immediate supervisor.

With the above used as a basis for future application, this case is considered to be closed.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

RRD(222-1408):mc