



# REVIEW COMMITTEE

MAR - 2 1989

**CASE CLOSED  
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PACIFIC GAS AND ELECTRIC COMPANY  
215 MARKET STREET, ROOM 916  
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D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Golden Gate Grievance No. 02-1509-87-81  
P-RC 1254

February 21, 1989

ROB TOWLE, Company Member  
Golden Gate Division  
Local Investigating Committee

ED CARUSO, Union Member  
Golden Gate Division  
Local Investigating Committee

## Subject of the Grievance

This case concerns the use of a Gas Fitter to perform Electric Inspection work.

## Facts of the Case

Since approximately July of 1986, a Gas Fitter in the Colma headquarters was upgraded on a Payroll Change Tag to the classification of Electric Inspector primarily to monitor tree trimming activity. The three permanent Inspectors in the Colma headquarters were assigned to new business work. Company believed that the new business work would diminish and, therefore, did not want to create an additional permanent Inspector position. There were no prebidders to the Inspector classification from the Colma headquarters.

## Discussion

It was the position of the Union that lengthy temporary upgrades such as the one in this case violate the intent of Title 205 since the senior prebidder to a job is not availed of the opportunity to fill the position on a permanent basis. Union further argued that using an employee from another line of progression to perform the work in question is a violation of Title 600. In support of its position Union cites Review Committee Decision No. 92. That case concerned Company's practice of assigning Apprentice Electric Servicemen to work as Apprentice Linemen or as Linemen in order to fill out line crews in cases of illnesses, absenteeism, or for other essential reasons. Employees in Electric Service were not in a normal line of progression to classifications in the Electric Overhead Department. That decision notes that:

The interchanging of employees as a matter of convenience between the Electric Service and the Electric Overhead Departments does not provide for the upgrading opportunities

205.3  
Gas T&D LOP (601.1)  
E T&D LOP (612.2).  
Assigning Elect Dept Inspect  
duties to Gas Dept Fitter.  
Temp upgrade: How long is  
too long?



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February 21, 1989

which were contemplated under Section 205.3. Only in situations where conditions make it impracticable to upgrade employees within either department may the inter-change of personnel be justified.

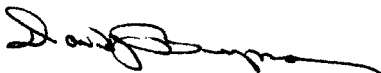
Company agreed that at some undefined point a continuous upgrade for additional work into a classification indicates that a need to create an additional permanent position exists. However, in the Company's opinion, in this case, the headquarters, in good faith, believed that the need for the upgrade would be short term. Had the headquarters the benefit of hindsight, it may have determined that it would have been advantageous to fill an additional Inspector position. Company believes the fact that it did not does not create a violation of the Agreement. In addition, Company notes the "impracticable" language in RC 92. In this case, it was not practicable to upgrade employees from the line of progression into the Inspector classification. The "next lower" classification is the one year step of Apprentice Lineman. Upgrades out of apprenticeships, especially when forced, are not in the best interest of the Company or the apprentice as their training is interrupted.

Company further cited P-RC 192 which clearly points out that prior to 1/1/88, Subsection 205.3 limits contractual entitlements to temporary upgrades to employees in the headquarters in which the vacancy exists.

#### Decision

While the parties could not come to agreement on a determination of how long is too long for a temporary upgrade for additional work, they did determine that the temporary upgrade involved in this case ceased on August 26, 1988. The Committee was also unable to agree whether it was practicable to upgrade within the line of progression. In settlement of this case, the Local Investigating Committee is directed to determine whether there were any qualified Section 205.3(b) prebidders to the Inspector classification in Colma after January 1, 1988. If there were, the LIC will make the appropriate adjustments. If none existed, the LIC will close the case without adjustment. This settlement is without prejudice to Union's position that an upgrade out of the LOP is in violation of Title 600.

Upon execution of the above, this case is considered closed without prejudice to the position of either party.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

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