



## REVIEW COMMITTEE

JUL - 5 1989

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
215 MARKET STREET, ROOM 916  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 973-1125

**CASE CLOSED  
LOGGED AND FILED**

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
PO. BOX 4790  
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED JUN 21 1989

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1842-88-79  
P-RC 1332

June 5, 1989

BYRON TOMLINSON, Chairman  
General Construction  
Joint Grievance Committee

BARRY HUMPHREY, Chairman  
General Construction  
Joint Grievance Committee

### Subject of the Grievance

Alleged bypass to a Working Foreman B of bargaining unit employees by a supervisor demoted pursuant to Section 306.11 of the Agreement.

### Facts of the Case

A night shift supervisor at the Davis Service Center was demoted for lack of work caused by elimination of the night shift.

The supervisor had previously held the classification of a Garage Working Foreman prior to leaving the bargaining unit. On September 1, 1988, the supervisor was demoted to Working Foreman B at the Geysers. The Union grieved this action alleging the supervisor did not have rights to the Working Foreman B classification and that several employees had been bypassed as a result.

### Discussion

The Committee reviewed the language of Sections 306.11 and 306.12, in addition to Letter Agreement 84-110, which outlines the Mechanical Services Department Lines of Progression.

Section 306.11 states:

"When by reason of lack of work in his or her department, the Company demotes into a classification in the collective bargaining unit a supervisor or other employee who was not at the time of demotion a member of such unit, such employee shall be placed in the classification held prior to leaving the bargaining unit consistent with the provisions of Subsections 306.1(a) and (b) and thereupon be entitled to exercise the rights set forth in this Title."

June 5, 1989

The Company agreed that based on the foregoing provisions, the supervisor should have been demoted to a Garage Working Foreman at Davis (the only location this classification is established).

At that point, there would have been one too many Foremen, the least senior of whom would be subject to the provisions of Title 306. The supervisor was not least senior.

The rights of the Garage Working Foreman who would have been demoted would have allowed him to demote to Equipment Mechanic at Davis pursuant to Section 306.2 or pursuant to Item 7 of Letter Agreement 84-110 to a field classification in Mechanical Services. The Mechanical Inspector incumbent at Davis is senior to the Garage Working Foreman who would have been demoted. Subsequent demotions and/or displacements would have occurred.

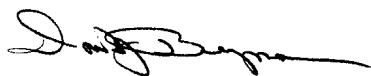
The Working Foreman B at the Geysers would then have been filled pursuant to Section 305.5 of the Agreement. In accordance with Letter Agreement 84-110, the Garage Working Foreman classification is given equal consideration for such vacancies along with Subforeman B (must have request on file), Field Mechanical Inspector, and Mechanical Inspector. A review of the incumbents in those classifications identified two employees senior to the supervisor.

#### Decision

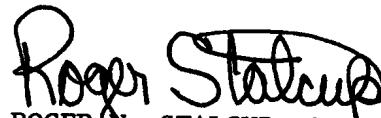
In order to resolve this grievance and to minimize the potential disruptive effect of properly applying Title 306 and impacting several more employees, the Pre-Review Committee agreed to offer the Working Foreman B position which has been transferred to Vallejo to the two more senior employees. They are Ed Boeshanz, Garage Working Foreman, Davis; and Jerry Embry, Field Mechanical Inspector.

If both decline, the supervisor shall remain in the Working Foreman B position, and this case will be closed without adjustment. If either accepts, the supervisor will be appointed to the resulting vacancy.

This case is considered closed based on the foregoing, and such closure should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER N. STALCUP, Secretary  
Review Committee

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