



REVIEW COMMITTEE

612.5 & 212.3: Bypass of System Opr - Electrician & Tech called out.

IBEW



JAN 25 1990

**CASE CLOSED
LOGGED AND FILED**

RECEIVED JAN 23 1990

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D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

San Joaquin Region Grievance No. REG-2-88-4
P-RC 1384

January 18, 1990

ANDY EUSER, Company Member
San Joaquin Valley Region
Local Investigating Committee

BOB GIBBS, Union Member
San Joaquin Valley Region
Local Investigating Committee

Subject of the Grievance

This case concerns the use of Electricians to perform overtime switching at unattended substations.

Facts of the Case

On December 12, 1987, a storm occurred while Stockton Substation Maintenance employees were working pre-arranged overtime. While the record does not reflect it, the Committee assumes that all Troublemembers were working also. An Electrician and Electrical Technician were dispatched from their pre-arranged assignments and performed emergency switching at unmanned substations.

On December 16, 1987, another storm hit the area. All Division Operators, Troublemembers and Transmission Troublemembers were working and additional assistance to perform switching was required. Electricians were called out to perform this work. The grievance was filed by System Operators who believed that on both days they should have been used to perform the switching.

Discussion

The Committee's discussion of this case revolved around the decision in P-RC 526 and the August 12, 1988 Rerate agreement. P-RC 526 concerned switching at unattended substations and determined that Troublemembers, Roving Operators, Utility Operators, and Relief System Operators have preferential rights to this work. Under limited circumstances, Electricians and Electrical Technicians are used. Additionally, System Operators are used. Union stated that the limited circumstances referred to for Electricians and Electrical Technicians were switching for their own work. Union believed that after the four classifications listed above were exhausted, System Operators could be used for the switching. If System Operators were unavailable, then Electricians and Electrical Technicians may be used.

Company opined that the practice was different in the field. After the four classifications were exhausted, either System Operators, Electricians or Electrical Technicians could be used.

In support of this position, Company pointed to the 1988 Rerate settlement, specifically, Item 2. b. of Attachment C. It reads:

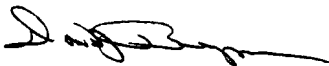
"When considering qualified switchmen for overtime switching at unattended stations, System Operators will be considered before Electricians, but after Relief Operators, Utility Operators, Roving Operators, or Troublemens. The practice of Electricians switching for their own work will continue."

Company believes that this language changed the practice of considering System Operators and Electricians together. This change was further clarified in a discussion between the Company and Union negotiators of the 1988 Rerate agreement. A letter confirming this discussion was sent to the Union's negotiator without rebuttal. That letter states, in part:


"We agreed that practicality considerations in Title 212 may be argued. For example, if an Electrician is working in or near an unattended station and there is a problem requiring emergency switching, the Electrician may perform the switching, if qualified, considering all practicality issues. If the switching is prearranged or can otherwise be delayed, an Electrician would not be used unless all of the other classifications listed in 2(b) have been exhausted."

Decision

The Committee agreed to apply the 1988 Rerate agreement in settlement of this case. Therefore, the December 12 assignment was consistent with Rerate understandings and no violation of the agreement occurred. The December 16 call-outs were improper as available System Operators should have been utilized. Therefore, grievant Outlaw is to be compensated for 2 and 3/4 hours of missed overtime and grievant Roden is to be compensated for 5 and 1/4 hours of missed overtime. With this adjustment, this case is considered closed and such closure should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

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