



REVIEW COMMITTEE

AUG 22 1990

**CASE CLOSED
LOGGED AND FILED**

RECEIVED JUL 25 1990

- 208 -Optimum use of OT related to LA 88-104
- 212 -(same as above)
- 207.2 -Contracting BU Work



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

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

88-104 COMMITTEE DECISIONS

- Steam Grievance No. 24-94-85-65 (P-RC 1116)
- Steam Grievance No. ML24-389-87-11⁴ (P-RC 1264)
- Steam Grievance No. ML24-374-87-99 (P-RC 1264)
- East Bay Region Grievance No. R1-2733-87-171 (P-RC 1282)
- Steam Grievance No. EB24-390-87-115 (P-RC 1284)
- Santa Rosa Division Grievance No. RW-SR-04-64-88-73-15 (P-RC 1325)
- Vallejo-Napa Division Grievance No. RW-VN-04-68-88-85-28 (P-RC 1335)
- San Joaquin Valley Region Grievance No. SJ-25-88-163-27 (P-RC 1336)
- San Joaquin Valley Region Grievance No. SJ-25-88-186-31 (P-RC 1337)
- Los Padres Division Grievance No. MT-LOS-56-18-88-125-20 (P-RC 1348)
- Mission Division Grievance No. EB-MI-36-92-88-73-17 (P-RC 1349)
- Sacramento Valley Region Grievance No. SV-SV-06-88-000-06 (P-RC 1357)
- Vaca Valley Division Grievance No. VV-90-06-88-000-09 (P-RC 1357)
- North Bay Division Grievance No. RW-NB-04-62-88-79-9 (P-RC 1358)
- Redwood Region Grievance No. RW-RW-04-RW-88-72-10 (P-RC 1372)
- Corporate Center Grievance No. 22-592-88-6 (P-RC 1388)
- Peninsula Division Grievance No. GG-PD-40-2-88-85-18 (P-RC 1393)
- Yosemite Division Grievance No. SJ-YOS-78-25-89-113-15 (P-RC 1403)
- San Joaquin Valley Region Grievance No. SJ-SJ-SJ-25-89-84-16 (P-RC 1404)
- Santa Rosa Division Grievance No. RW-SR-04-64-88-89-19 (P-RC 1410)
- Vallejo-Napa Division Grievance No. RW-VN-04-68-88-84-27 (P-RC 1410)

June 13, 1990

The above-referenced cases have been discussed by the committee established in Item No. 6 of Letter Agreement 88-104. The committee has combined the settlements of these cases into one document in order to provide a reference guide for application to future grievances pertaining to Letter Agreement 88-104.

Steam Generation Grievance No. 24-94-85-65 (P-RC 1116)

Facts of the Case

During an outage at Morro Bay Power Plant certain work, including a retubing project on No. 4-3 Unit feedwater heater, was contracted out. During the course of this assignment, the contractor employees worked extended hours (ten hour days, six days a week). During this same period, PG&E employees worked varying shifts of eight to ten hours with some other additional prearranged overtime. Union's grievance claimed that PG&E employees should have been utilized for the overtime work associated with the feedwater heater, but no issue was raised with the contracting on straight-time.

As general guidance, the Committee believes that since the pole replacement work does not appear to be a "hard money" contract, voluntary overtime should first be considered before contracting if a crew or crews can be made up from the volunteers. This Committee retains jurisdiction if the Local Investigating Committee is unable to resolve the grievance.

Yosemite Division Grievance No. SJ-YOS-78-25-89-113-5 (P-RC 1403)

Facts of the Case

Certain underground work was assigned to General Construction due to the size of the job. Prior to the assignment, prearranged overtime in the Gas T&D Department averaged 80 hours per month. During the assignment, prearranged overtime increased to an average of 186 hours per month. In order to accomplish the work, General Construction hired six contract employees for assistance. General Construction and the contractors started work on June 12, 1989. Due to budget constraints, prearranged overtime for the Merced Gas T&D Department was cut off on July 28, 1989. As a further result of the budget constraints, General Construction and the contractors were released on August 10, 1989 without having finished their work. The grievance claimed that Company was obligated to continue to offer overtime to Merced employees when General Construction was contracting work out in the headquarters.

Decision

The record is unclear on the question of whether the contractor employees were supplementing General Construction or working on their own job as assigned by General Construction. It is also not known whether the contractor employees were working overtime during the period between July 28, and August 10, 1989. These issues may have a bearing on the disposition of the case and the Local Investigating Committee is requested to determine the answers. As a point of discussion, the 88-104 Committee notes the conclusions in earlier decisions on voluntary overtime obligations once work has already been contracted. Also, the short period between the cancellation of Merced employees' overtime and the dismissal of General Construction and its contractors. The Local Investigating Committee should weigh these factors and the answers to the above questions and attempt to resolve the grievance. This Committee will retain jurisdiction in the event the Local Investigating Committee is unable to reach resolution.

San Joaquin Valley Region Grievance No. SJ-SJ-SJ-25-89-84-16 (P-RC 1404)

Facts of the Case

The grievant was hired as a Materialsman on March 1, 1989 to assist in catching up on a backlog of work that existed. He was kept on to assist in the annual inventory and was released on May 26, 1989. The grievance was filed as a result of the lay off. Between May 30 and June 16, 1989, five summer hires reported and worked until approximately August 31, 1989. On September 6, 1989, the grievant was rehired to work on a special project and was released on November 27, 1989. At the time of the lay off on May 26, 1989, the department was contracting Leadman Driver work.

SAN JOAQUIN VALLEY REGION
 GRIEVANCE NO. SJ-YOS/78-25/89-113/15
 LOCAL INVESTIGATING COMMITTEE
ADDENDUM

PRC1403

The PRC Committee referred the case back to the Local Investigating Committee for settlement. The Committee was to answer two questions:

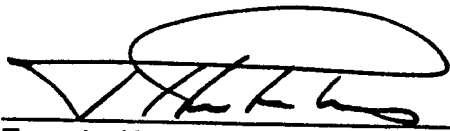
1. Whether the contractor employees were supplementing General Construction or working on their own as assigned by General Construction.
2. Whether the contractor employees were working overtime during the period between July 28 and August 10, 1989.

The Local Investigating Committee determined that the contractor employees supplemented the General Construction employees and did not work on their own. It was also determined that the contract employees did not work any overtime between July 28 and August 10, 1989.

Based on the answer to these two questions and review of the cases listed in the 88-104 Grievance decisions, the Local Investigating Committee agreed to close this case with no adjustment.

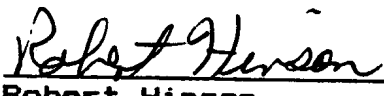
Based on the above this case is closed.

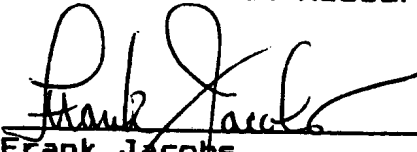
For the Union:


 Frank Hutchins (Date) 8-24-90
 Union Business Representative
 IBEW, Local 1245


 Michael Brocchini (Date) 8-24-90
 Shop Steward

For the Company:


 Robert Hinson (Date) 8-17-90
 Division Human Resources Manager


 Frank Jacobs (Date) 8-24-90
 Gas General Foreman

Raggio	DIV. MGR.	YOSEMITE DIVISION HUMAN RESOURCES				ADMIN. CLK.
Sonberg	DEPT. MGRS.	AUG 27 1990				GEN. CLK.
Euser	MGRS.					REG. HR
Bergman	SUPVSS	FOLLOW-UP _____				INFO
Hutchins	ROUTE	COPY	HANDLE	SEE ME	DIV. FILE	FILE