



# REVIEW COMMITTEE

205.3 -Properly licensed employee may be required to operate Co. vehicle. (Forced "upgrade").

## IBEW



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

MAR 21 1991

**CASE CLOSED  
LOGGED AND FILED**

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

D.J. BERGMAN, CHAIRMAN

**RECEIVED MAR 19 1991**

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Mission Division Grievance No. EB-MI-36-92-90-53-14  
P-RC 1483

March 13, 1991

STEVE RAYBURN, Company Member  
Mission Division  
Local Investigating Committee

DEAN GURKE, Union Member  
Mission Division  
Local Investigating Committee

### Subject of the Grievance

This case concerns an allegation that Company improperly required a non-CDLA Lineman to drive a vehicle which requires a commercial driver's license.

### Facts of the Case

On August 9, 1990, a three-person crew with a bucket truck was dispatched from the Livermore yard. The two senior Linemen on the crew were asked to drive the truck which requires a commercial license and both declined. The grievant, who was the junior qualified employee on the crew and held a commercial license was required to drive the truck. The grievant was paid the \$2.50 per day upgrade in accordance with the CDLA agreement.

Pursuant to the CDLA agreement, the Livermore Electric Department established fourteen CDLA positions. At the time of the subject assignment not all of the fourteen employees in the CDLA positions had obtained the licenses. The grievant held a Class I license and had volunteered for a CDLA designation but was not among the fourteen senior volunteers.

According to the supervisor, on the morning of August 9, 1990, all of the fourteen employees in CDLA positions were either on rest period, upgraded to the Troublemaker classification, not yet in possession of a Class A license or were "otherwise unavailable for the driving assignment." The Pre-Review Committee assumes that the otherwise unavailable employees were sick, on vacation, or on crews from which they could not be reassigned due to practicality considerations such as a legitimate crew continuity situation.

Settlement

In discussion of this case the Committee reviewed Review Committee Decision Nos. 1031 and 1268. Specifically, the Committee noted item three of the decision which states:

"In situations involving drivers other than T&D Drivers where a Class I Driver's License is required and the assigned driver does not possess the required license, either the driver assignment or the load will have to be changed to comply with the State Vehicle Code."

In this case the driver assignment was made to comply with the State Vehicle Code.

Based on RC 1031 and 1268 and the CDLA agreement, the Committee agrees that there was no violation in this case as proper upgrade procedure was utilized pursuant to Section 205.3. Accordingly, this case is closed without adjustment and such closure should be noted by the Local Investigating Committee.

  
DAVID J. BERGMAN, Chairman  
Review Committee

  
ROGER W. STALCUP, Secretary  
Review Committee

RRDoering(223-8510):nj