

205.7 } Claim of bypass not
612.2 } sustained. Gr was not
"B" bidder at time job
filled.



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
201 MISSION STREET, 1513A
SAN FRANCISCO, CALIFORNIA 94105
(415) 973-1125

AUG 11 1992

**CASE CLOSED
LOGGED AND FILED**

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

RECEIVED AUG - 6 1992

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Diablo Division Grievance No. DIA-91-13
P-RC 1570

August 5, 1992

KAREN SAVELICH, Company Member
Diablo Division
Local Investigating Committee

FRANK SAXSENMEIER, Union Member
Diablo Division
Local Investigating Committee

Subject of the Grievance:

This grievance alleges that the grievant was bypassed for a T&D Equipment Operator at the Meadow Lane Substation in East Bay Region. The Union alleges that if the grievant had not been bypassed for an earlier Field Clerk position, the grievant would have been the senior bidder and would have been awarded this position.

Facts of the Case:

The Union alleged that the grievant was wrongly bypassed for the position of Field Clerk at the Meadow Lane Substation in August 1991. The grievance was settled at the Local Investigating Committee step of the grievance procedure by placing the grievant into the Field Clerk position, which had become vacant again due to the recently appointed Field Clerk's successful bid to T&D Equipment Operator.

The present grievance concerns the filling of the T&D Equipment Operator. The Union alleges that if the grievant had *originally* been awarded the Field Clerk position, *he* would have been the most senior bidder and awarded the T&D Equipment Operator.

Discussion:

The Committee reviewed P-RC 858 which alleged that an employee was bypassed for a position due to the successful bidder's inappropriate job award to an earlier position. While the Committee agreed in that case that the earlier job award was in error, the employee was appropriately awarded the job in question and the job award was sustained.

The Pre-Review Committee discussed the logic of P-RC 858 as it applies to this case. Without reaching consensus on whether the initial job award to Field Clerk was appropriate or not, the Committee noted that the case had been settled and closed by the Local Investigating Committee. The issue before the Committee in this case is therefore limited to whether the award to T&D Equipment Operator was appropriate or not.

Decision:

The Pre-Review Committee agreed that there was no contractual violation in the award of the T&D Equipment Operator at Meadow Lane Substation on September 30, 1991. 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

JMBauer(223-7839): nj