

JUN - 7 1994

**COMPUTER AND NETWORK OPERATIONS [C&TS]  
 GRIEVANCE NO. 22-655-91-9  
 PRE REVIEW COMMITTEE NO. 1602  
 MEMORANDUM OF DISPOSITION**

**CASE CLOSED  
 LOGGED AND FILED**

**RECEIVED JUN - 6 1994**

**GRIEVANCE ISSUE**

Union alleges that on a on-going basis, installation, replacement and repair of personal computers are being performed by non-bargaining unit personnel in GO. The Pre Review Committee determined that it is inappropriate for non-bargaining unit personnel to replace cards of computers other than their own, change disk drives, and repair personal computers and returned this case to LIC for settlement. The issue before this committee was the determination of an appropriate remedy to resolve this case.

**POSITION OF THE PARTIES**

Company offered to settle this case based on 2,080 hours of straight time rate to be divided by the 26 GO Telecommunication Technicians. This offer was based on the assumption that the work in question was equivalent to one full-time Telecommunications Technician for a one year period.

The Union countered the offer with a settlement proposal of 5,200 hours which is the equivalent of approximately 80 non-bargaining unit employees performing such work for .5 hours/day for the duration of the grievance period (130 weeks).

**DECISION**

After reviewing all the facts of this case and various settlement offers and counter-offers, the parties agreed to the Union's proposal of 5,200 hours of straight time pay to be divided by the 26 Telecommunication Technicians. The rate of pay will be at the 1992 wage rate for this classification. The parties agree that the work at issue is appropriately bargaining unit work; Company will advise exempt employees of this fact.

<u>Kenneth R Ball</u>		6-6-94
KEN BALL, JR., SR. BUSINESS REP	CONCUR/DISSENT	DATE
<u>Lula Washington</u>		6-3-94
LULA WASHINGTON, BUSINESS REP.	CONCUR/DISSENT	DATE
<u>John Moffat</u>		5/31/94
JOHN MOFFAT, SR. NEGOTIATOR	CONCUR/DISSENT	DATE
<u>Lia Shigemura</u>		5/20/94
LIA SHIGEMURA, SR. LABOR REP.	CONCUR/DISSENT	DATE

2.1 } Recognition.  
7.2 } Non-bu empl working on PC  
violates Agrmt.



## REVIEW COMMITTEE

**IBEW**



OCT 19 1993

**CASE CLOSED  
LOGGED AND FILED**

**RECEIVED OCT 18 1993**

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R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Corporate Services Grievance No 22-655-91-9  
P-RC 1602  
Corporate Services Grievance No. 22-663-92-1  
P-RC 1658

SUSAN BEGGS, Company Member  
Corporate Services  
Local Investigating Committee

LULA WASHINGTON, Union Member  
Corporate Services  
Local Investigating Committee

### Subject of the Grievances

These cases concern the installation, replacement of interface cards, and general repair of personal computers by non-bargaining unit personnel in several General Office Departments, including Insurance, Internal Auditing, Computer Operations, Materials, Revenue Requirements, Power Control, the Nuclear Power Generation Business Unit, and the Engineering and Construction Business Unit.

### Facts of the Cases

#### Corporate Services Grievance No 22-655-91-9

Bargaining unit employees observed non-bargaining unit employees working on personal computers in the General Office complex. Specific tasks performed include:

- assembling personal computers
- removing/replacing LAN cards
- changing disk drives
- repairing personal computers

#### Corporate Services Grievance No. 22-663-92-1

As part of a renovation project at the Fairfield Computer Center, a number of new personal computers were purchased. Approximately 20-30 PC's were unboxed, set up, and loaded with software programs. An exempt Computer Analyst unboxed approximately 10 of the computers and placed them in cubicles.

It is not clear who unboxed the remaining PC's. Telecommunications Technicians handled the computer "terminations" and contract employees installed software in the new machines. Two management employees admit that they each opened one computer to reconfigure or remove a LAN card. There was conflicting testimony if exempt employees performed any other configuration of computer boards or components.

Discussion

The Union opined that previous precedent setting grievances address this issue. Review Committee Case 1678 provides that the replacement of interface cards by other than the user is bargaining unit work. The decision also specifies that PC repair is bargaining unit work.

While the Company agreed that the repair of personal computers is bargaining unit work, the Company noted that the Telecommunications Department is at the 88-104 floor number, which permits the Company to contract out this type of work. The Company concedes that two exempt employees each opened a computer to reconfigure or remove a LAN card, but argues that this work was deminimis.


Decision:

The Committee agreed that the installation of personal computers, which generally requires no more than the uncrating and plugging into an electrical outlet, may be performed by users or other employees with the knowledge to do so. However, the unboxing and setting up of 10-30 computers, as is the case in point, should not have been performed by an exempt employee and is more appropriately assigned to a bargaining unit classification.

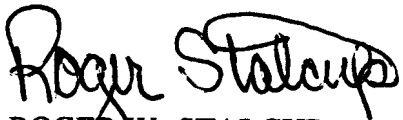
The Committee further determined that it was inappropriate for exempt and weekly, non-bargaining unit employees to replace interface cards of computers other than their own, change disk drives, and repair personal computers. These cases are returned to the Local Investigating Committee to determine the total time spent by exempt and weekly, non-bargaining unit employees performing these tasks and for local settlement.

There is no contractual violation in utilizing contract employees to perform Telecommunications Technician work since the department is at its 88-104 floor number.

These cases are closed on the basis of the above, however the Pre-Review Committee retains jurisdiction over these cases if the Local Investigating Committee is unable to reach settlement.

  
RICK R. DOERING  
Chairman, Review Committee

Date 10/12/93

  
ROGER W. STALCUP  
Secretary, Review Committee

Date 10/8/93