



REVIEW COMMITTEE



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**CASE CLOSED
FILED & LOGGED**

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

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

North Bay Division Grievance No. CHI-93-46
Fact Finding File No. 5887
Pre-Review Case No. 1906

SUE AMPI
Company Member
Local Investigating Committee

MICKEY HARRINGTON
Union Member
Local Investigating Committee

Subject of the Grievance:

This case involves work required to modify certain circuit breakers. The work was assigned to General Construction Station Maintenance employees. The Grievance alleges the work should have been assigned to Division Substation maintenance employees.

Facts of the Case:

In 1992, new 500 ABB circuit breakers were installed at Gates and Table Mountain Substations by General Construction. A problem was discovered with the linkage and after discussions with the manufacturer, agreement was reached on for the manufacturer to pay the costs of the needed modifications. This was a system-wide problem and all modifications, system-wide were made by GC.

Discussion:

This case is unlike the many grievances involving co-mingling of Title 200 and Title 300 employees. There was no co-mingling. The issue in this case is one of jurisdiction - to which group of employees does the work belong?

To answer that question, the Pre-Review Committee reviewed the Industrial Relations letter to the IBEW dated November 12, 1993 and the IBEW response dated November 19, 1993. The IR letter, Paragraph 4 states:

"Distinct Work: The Company will make an effort to keep the work historically performed by Title 300 employee distinct, but since the work in many areas is similar it may only be distinguished by quantity or location."

The IBEW letter, Paragraph 4 states:

"A more definitive statement with respect to work historically performed exclusively by Title 200 or Title 300 employees will resolve this point."

The IBEW's letter suggests an effort be made to define work which is exclusive to one group of employees or the other, it also inherently recognizes that some work is not exclusive but shared or common to both groups. While the PRC is not in a position to fully determine what is exclusive and what is common work, as a guideline, if there are exclusive classifications such as Troublemens or Gas Service Reps., then that work would be exclusive to that category (Title 200) of employees. On the other hand where there are common classifications, such as, Welder then some of the work is likely to be common to both categories of employees.

This guideline is not intended to shift work from one group to another or to change the current practices in administering Titles 208 and 212 (Overtime). Where overtime is not an issue, Company has the right to decide whether to assign the work to Title 200 or Title 300 employees on straight-time.

In this case, the record is clear that substation maintenance has been performed by both Title 200 and Title 300 employees and there is no exclusive jurisdiction.

DECISION:

The Pre-Review Committee agrees there was no violation of the Agreement and this case is closed without adjustment.

Margaret A. Short

Margaret A. Short, Chairman
Review Committee

12/23/96

Date

Roger Stalcup

Roger W. Stalcup, Secretary
Review Committee

12/23/96

Date