



REVIEW COMMITTEE



IBEW

PACIFIC GAS AND ELECTRIC COMPANY
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RECEIVED MAY 16 1997

**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

**Stockton Division Grievance No. STKN-95-25
Fact Finding No. 6236-95-253
Pre-Review Committee No. 2034**

**Sierra Division Grievance No. AUB-95-25
Fact Finding No. 6114-95-131
Pre-Review Committee No. 2046**

**MARION HAKATA
JODEANE FISCHER
Company Members
Local Investigating Committee**

**PHIL CARTER
RON VAN DYKE
Union Members
Local Investigating Committee**

Grievance Issue

These grievances concern the co-mingling of Title 200 and Title 300 employees during emergency overtime assignments.

Facts of the Cases

In P-RC 2034, the Company was utilizing the 212 process to call out an Electric T&D crew. The only Title 200 employee who had signed the weekly 212 list was called and responded. The Company then called out two Title 300 Linemen and a Title 300 Truck Driver. With the Title 200 Lineman upgraded to Electric Crew Foreman, the four employees performed the work.

In P-RC 2046, the Company called all Electric T&D employees who had signed the weekly 212 list, and those who had signed the annual list. As result of these calls, two Title 200 employees responded, at which point the Company called a Title 300 employee to round out the crew.

Discussion

At the outset, the Committee agreed that there was no violation of Title 212 at the headquarters where the work existed in these grievances because the weekly 212 list had been exhausted. The parties have agreed in numerous grievance settlements in the past that an employee's contractual right to a call out exists only if s/he signs the weekly list.

The broader issues in these grievances have to do with the jurisdiction of work between Titles 200 and 300. More specifically, the issues are (1) whether it is a violation to co-mingle these two groups of employees on one crew to perform emergency overtime work and (2) if it is not a violation, are there any requirements beyond Title 212 before augmenting a crew with Title 300 employees. The Committee reviewed Letter Agreement 95-60 which focuses on eliminating inefficiencies and provides guidance on co-mingling of Title 200 and 300 Gas and Electric T&D in the Customer Energy Services Business Unit. The agreement, in part, provides that, "Title 200 and 300 crews shall normally remain distinct, but may work side by side on the same job or project". The agreement goes on to state that the provisions of Title 212 and 308 are not modified as a result of the understandings reached.

In considering the work performed, the Committee agreed that it falls within the co-mingling parameters outlined in Letter Agreement 95-60. It was limited in scope and restricted to the jobs involved in the emergencies. In regard to the jurisdictional concern, the Committee noted that Title 200 employees may protect their right to emergency overtime work by signing the 212 list. In both these cases, the employees who signed the 212 list were called.

Given that Letter Agreement 95-60 did not modify Title 212 or 308, the obligation to follow the provisions of 212 are not reduced nor expanded when co-mingling occurs. Therefore, once the weekly list is exhausted there are no prescribed steps to follow in augmenting the crew. Some of the options available to supervision include calling Title 200 employees in the affected headquarters who have not signed the weekly list, contacting a neighboring headquarters (and utilizing their 212 list in accordance with P-RC 1481), contacting Title 300 employees, and contracting. The supervisor's decision of which option to utilize could vary depending upon the nature of the emergency, the needed speed of response, availability of resources, and geographic location. These options would be in addition to, rather than in lieu of, those employees in the affected headquarters who had signed up and responded to the emergency call out.

DECISION

These cases are closed without adjustment, based on the above understandings.

Margaret A. Short
Margaret A. Short, Chairman
Review Committee

5/15/97
Date

Roger W. Stalcup
Roger W. Stalcup, Secretary
Review Committee

5/15/97
Date