



REVIEW COMMITTEE

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IBEW



PACIFIC GAS AND ELECTRIC COMPANY
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**CASE CLOSED
FILED & LOGGED**

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

MARGARET A. SHORT, CHAIRMAN

Fresno Division Case No. FRO-94-66
Fact Finding File No. 6165-95-182
Pre-Review Committee File No. 2035

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

JAMES DRAKE
Company Member
Local Investigating Committee

FRANK HUTCHINS
Union Member
Local Investigating Committee

This case involves whether work contracted by the company is work normally performed by the bargaining unit and whether Title 207 was violated by not notifying the Union about the contracting.

During November 1994, the J. E. Ethridge Construction Company, Inc. constructed an oil retention berm at the Kerchoff #2 switch yard. Item 6 of the Joint Statement of Facts states: "this type of work is normally contracted here and in other areas, although on a few occasions the work has been done by Title 300 crews, either Distribution Construction or Hydro. Of the last 30 or so jobs, two or so were done by Company Title 300 crews. These were smaller jobs."

The issue of "work normally performed" was addressed by Arbitrator Kintz in Arbitration Case 201:

"The scope of bargaining unit work is defined on a system-wide basis, and the exchange of proposals which led to 88-104 reaffirmed the parties' intent to apply its terms and definitions on a system-wide basis. As a corollary, the unusual practices at one or two locations cannot control what is bargaining unit work normally performed on a system-wide basis. Neither will the unusual work practices, occupying a fraction of their time, of two or three employees provide a basis for a determination of bargaining unit work."

Based on the language in Arb. 201 and the testimony in the Joint Statement of Facts, the PRC is in agreement that no violation of the agreement occurred and this case is closed without adjustment.

Margaret A. Short
Margaret A. Short, Chairman
Review Committee
2/14/96
Date

Roger Stalcup
Roger W. Stalcup, Secretary
Review Committee
2/14/96
Date