



REVIEW COMMITTEE



IBEW

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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

**Mission Division HAY-94-27
Fact Finding No. 6285-95-302
Pre-Review Committee No. 2073**

LEONA CARTER
Company Member
Local Investigating Committee

WAYNE GREER
Union Member
Local Investigating Committee

Grievance Issue

This grievance concerns whether management employees conducting commercial driver training are performing work historically performed by Title 300 Field Mechanical Inspectors.

Facts

Commercial driver training is one week of classroom and hands-on training provided by the company to those employees who are attempting to obtain a Class A Driver's License in order to qualify for certain bargaining unit positions.

Up until 1993, there was no formal process in place to provide commercial driver training. According to the Local Investigating Committee (LIC) Report, the behind the wheel training was performed by both management and bargaining unit employees. In reviewing the testimony, it appears that the training for Title 200 employees was predominately performed by management employees (or bargaining unit employees upgraded to management). It also appears that training for Title 300 employees was predominately performed by bargaining unit Field Mechanical Inspectors.

In 1993, the Company established a centralized commercial driver training program at the Livermore Training Center. The 40 hour program, which includes classroom and behind the wheel training, is conducted by two management employees (one regular position and one rotational position). When the school was established, managers had the option of providing their own training in the field or sending employees to Livermore. Today, all of the training is conducted by the school. No Field Mechanical Inspectors were laid off as a result of centralizing the training.

Discussion

The Company shared the current material used in the commercial driver training program and pointed out that the training requirements have increased over the years as the result of changes in the regulations. The need now exists to have a centralized program which can be closely monitored to ensure regulatory compliance. The Company also expressed concern about any grievance settlement which would create inefficiencies in the training delivery.

The Union acknowledged the Company's interests, and explained the Union's interest in preserving bargaining unit work. Field Mechanical Inspectors have historically performed driver training for Title 300 employees. Furthermore, their job description provides that they operate vehicles and construction equipment and "impart this knowledge to other employees". By having all the training performed by management employees, bargaining unit work is being eroded from the unit.

DECISION

After thoroughly reviewing this case the P-RC agreed to the following settlement with the intent of recognizing the Company's right and responsibility under Section 7.2 to provide training, while maintaining the practice of overlapping bargaining unit and management duties as required in Subsection 7.2 (b).

The Company has the right to determine where the commercial driving training will be conducted. The Company will assign a qualified Field Mechanical Inspector to the rotational position. If there are no interested qualified Field Mechanical Inspectors, the Company may staff the position at its discretion.

The management trainer and/or the Field Mechanical Inspector may be assigned to conduct the behind the wheel portion of the training to any group of employees (regardless of whether they are Title 200 or Title 300). The management trainer will continue to conduct the classroom training, and at management's exclusive discretion this training may also be assigned to a qualified Field Mechanical Inspector.

It is anticipated that the need for the second driver trainer position will continue into the foreseeable future. Should the Company at some point no longer staff the rotational driver training position, the Union retains the right to grieve the issue at that time.

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

4/20/98
Date

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

4/20/98
Date