



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

**San Francisco Division Grievance No. SFO-95-33
Fact Finding No. 6164-95-181
Pre-Review Committee 2105**

VERN WITTMAN
Company Member
Local Investigating Committee

HUNTER STERN
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the boundaries of the Gas Construction (Title 300) promo-demo areas. Union alleges the description found in the Field Clerks' Instruction Book is inaccurate because Peninsula Division is included in Area 4, Golden Gate Region instead of Area 7, Mission Trail Region.

Facts of the Case

Prior to January 1, 1988, Company unilaterally established the promo-demo areas for each functional Title 300 Department General Construction/ENCON). Starting in 1988, such changes require Union agreement. An exhibit in the file is a letter dated March 13, 1985 from the Manager of Industrial Relations to the Union establishes for Gas Construction, Area 4 will comprise Golden Gate Region which at that time did not include Peninsula Division. The letter also stated that Area 7 for Gas Construction will comprise Mission Trail Region which at that time had recently incorporated Los Padres Division. The letter further stated that Area 8 will be eliminated; this had been Los Padres Division.

The current agreement (1997) again shows a Gas Construction Area 8 but it is a system-wide promo-demo area for Technical classifications assigned to Gas. There is also a Gas Construction promo-demo Area 0 for Construction Operations. Both of these Areas were added but the record does not establish whether it was by agreement or prior to 1988. In either case, a review of the establishing document might also address whether the correctness of the Instruction Book designation with respect to Peninsula Division.

Letter Agreement 93-108 established the bidding procedure for voluntary moves between Title 200 and Title 300 classifications. Item 1 indicates that separate bid codes would be established for each existing classification, in each Department, in each promo-demo area. A review of the Pre-Bid Directory should reflect whether Peninsula Division positions were listed in Area 4 or Area 7. There has been no challenge from the Union.

The Instruction Book was last updated, or at least the exhibit in the file is dated June 6, 1988. On January 1, 1988 Exhibit II of the Physical Agreement was amended to include the statement: "Promotion-Demotion Geographic Areas provide the same geographic boundaries as the original 13 Divisions and Departments in existence prior to 1987."

DECISION

The PRC is in agreement that based on what is before it, Peninsula Division appropriately belongs in Area 7. However, the parties are encouraged to research this issue further as the Instruction Book has been in effect and in use for seven years prior to the filing of the grievance, and based on the discussion above there may be appropriate documentation to include Peninsula Divisions in Area 4. Should, such documentation be discovered, it should be submitted to the Pre-Review Committee for it's review and determination of any impact on this decision.

An alternative would be for Company to propose a Letter Agreement to include Peninsula Division in Area 4. Company would hope that Union would agree to such a proposal given the long period of practice.

There has been no demonstration of harm due to the composition of Area 4 in Title 305 and 306 applications and therefore this case is closed based on the above agreement that Peninsula Division is included in Area 7.

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

4/7/98
Date

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

4/7/98
Date