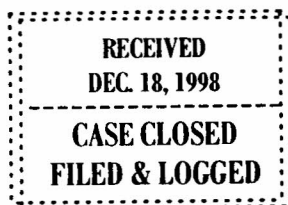


207.2 & 608: The dispute over whether or not the vegetation spraying work within the Water Dept. is bargaining unit work unresolved; no violation of Sec. 207.2 as the Dept. was at its' 88-104 floor number at the time the contracting occurred.



PACIFIC GAS AND ELECTRIC COMPANY
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REVIEW COMMITTEE



IBEW



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Hydro Generation Grievance No. CHI-96-29
Fact Finding No. 6523-97-054
Pre-Review Committee No. 2155

Subject of the Grievance

This case concerns the contracting of vegetation spraying within the Water Department and whether or not such work is bargaining unit work.

Facts of the Case

The last time vegetation spraying occurred at the Manton headquarters, in 1991, it was done by bargaining unit Water Department Employees. Prior to 1991 such work at Manton was also done by bargaining unit employees. Testimony from the LIC also indicated that in others areas, vegetation spraying has been contracted out. Vegetation spraying does not occur on a specific schedule, i.e. annually. Rather it occurs on a sporadic, as-needed basis.

In 1991 the Company was advised of changes to the pesticide regulations. These changes were significant. New regulations included: annual worker training, monthly reporting of use, providing legal (locked and posted) storage area for herbicides, specific safety equipment, maintenance of safety training records, washing facilities for coveralls, maintenance of a 2 year application history and county site permits for each treated facility.

In 1996 all training of Hydro employees for this work was suspended due to the license and regulatory requirements.

Discussion

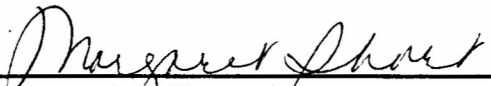
At the outset, the parties noted that at the time of the contracting in Manton (4th quarter 1996) the Water Department's system floor number was 83 and the actual headcount was 84. Manton's floor number was 7 with an actual headcount of 8.

Union reiterated their position that such work, vegetation spraying, has historically been bargaining unit work and should continue to be performed by bargaining unit employees. If new regulations change requirements of this work, the Company should provide the necessary training.

The Company believes that the work in question is not work normally performed by the bargaining unit. While it does appear in some cases bargaining unit employees have done some vegetation spraying, that was before the changes in regulations. There is a significant difference between the work being contracted out today and the "Roundup" spraying that was done in the past. Employees are not certified to perform the work today and the Company is not interested in performing the work due to the burdensome government requirements and regulations.

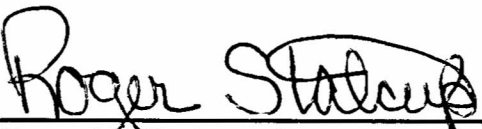
Decision

While the parties are not in agreement as to whether or not the work in question is bargaining unit work, the Committee is in agreement that a contractual violation did not occur as the Department was at its' 88-104 floor number at the time the contracting occurred. This case is closed without adjustment.



Margaret A. Short, Chairman
12/18/98

Date



Roger W. Stalcup, Secretary
12/18/98

Date