



REVIEW COMMITTEE

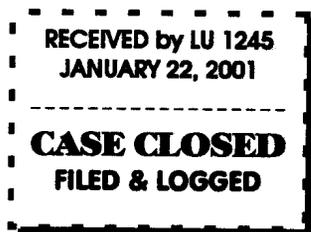
IBEW



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(925) 933-6060
BOB CHOATE, SECRETARY

Pre-Review Committee No. 10952

Shawn Hoover
Company Member
Local Investigating Committee

Larry Pierce
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns whether certain work was appropriately paid at the Fitter rate or whether the grievant should have been temporarily upgraded to Gas Crew Foreman.

Facts of the Case

The grievant is a Fitter who was presumably assigned to work with one other employee as a two-person unit. The work in question is as follows:

8/24/99	Responded to a leak on a main.	8 hours.
9/7/99	Alter 3/4" steel to 1/2" plastic service. Install Mueller top tap and riser with 4' of plastic pipe.	8 hours
9/21/99	Service Rerun - deteriorated service - cathodic protection Water coming into hole from uphill.	8 hours

Discussion

At the outset, the PRC agreed that the only difference between a Gas Crew Foreman-Welding and a Fitter is that the GCF is the lead responsibility over two to five people exclusive of the GCF. In terms of skill and capability, Fitter and Gas Crew Foreman are the same.

The PRC reviewed and discussed the Gas T&D Job Definitions and Lines of Progression Book for the Gas Crew Foreman - Welding and the Fitter classifications. Given the above, the NOTES define what work is appropriate for a two-person unit and what work is appropriate for a crew of three or more.

The PRC agreed that the Mueller installed on 9/7/99 is a pressure control fitting which pursuant to Note B(2) under the Fitter definition is work that the Fitter may perform as a member of a crew. If performed as a member of a crew, the question of upgrade does not arise because there is already a GCF and from a craft and skill standpoint, the work can be accomplished by a Fitter. However, the parties agreed that work involving the installation of pressure control fittings is appropriately assigned to a crew for safety and/or capability reasons. For example, the work is to be done in the street and a third person is needed to flag. Other times, three people are necessary due to the trenching that needs to take place prior. This language has been in place for many years and the manner in which the work is performed has been evolving. Often the trenching is done by third parties, eliminating that as a reason to assign the work to a crew and leading to the assignment of the work to a two person unit. That two person unit could be comprised of a GCF and a qualified employee.

In addition, the PRC reviewed Review Committee Decision 1757 which provided for a temporary upgrade to GCF of a Fitter for very similar work to that performed by the grievant on 9/7/99.

As to the work on 8/24/99, the PRC noted that the grievance was filed more than 30 days following this work. In addition, there is insufficient information as to what exact work was performed on that date to determine whether an upgrade was warranted. However, the grievant was upgraded on 8/26/99 for work at the same site to repair the gas leak.

The Fact Finding Committee agreed to upgrade the grievant for 8 hours on 9/21/99, one hour on 8/25/99 and 3 hours on 9/16/99 which the PRC will honor, however, it is unclear as to the basis for the agreement.

The PRC noted there have been recent negotiations between the parties by a 94-53 Committee to update and revise the Job Definitions and Lines of Progression for Gas T&D. The Committee conducted an extensive survey of work practices and determined that there are varied practices in work assignment and compensation. There was discussion of expanding the work that could be performed by a two person unit (Fitter and one other) and an offer to compensate the Fitter at a slightly higher rate for this operating flexibility. However, no such changes were agreed upon.

Finally, the PRC also talked to three long term Gas T&D employees (two exempt and one bargaining unit). One Gas Construction Foreman (exempt) indicated the work described on 9/7/99 he would generally assign to a crew, it could be assigned to a two person Fitter unit if there was no trenching involved or if the service was not out in an open street. Unfortunately, the Joint Statement of Facts does not provide this level of detail.

Decision

Based on existing language in the Job Definitions and Lines of Progression Book and RC 1757, the PRC agrees to upgrade the grievant to Gas Crew Foreman for 8 hours on 9/7/99.

In addition, based on the Fact Finding Committee discussion and without prejudice, the grievant is to be upgraded for 8 hours on 9/21/99, 1 hour on 8/25/99 and 3 hours on 9/16/99. The grievant may have already been paid for these hours.

This case is closed based on the foregoing and the adjustments herein.

Margaret Short

Margaret A. Short, Chairman
Review Committee

1/19/01

Date

Salim A. Tamimi

Sam Tamimi, Secretary
Review Committee

1-19-2001

Date