



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
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RECEIVED by LU 1245
OCT. 16, 2001
**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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SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 12144 Customer Field Services – Area 2 – Gas Service - Richmond

Kelly Adams
Company Member
Local Investigating Committee

Lula Washington
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns a job award to Gas Service Representative vacancy in Richmond, on which the grievant was bypassed pursuant to Subsection 205.11(a).

Facts of the Case

The grievant is a Meter Reader and as such was a D bidder to GSR. The vacancy was awarded to another D bidder, a Meter Reader junior to the grievant. The successful bidder had passed the three week GSR training school in 1998. The grievant had never been.

Subsequent to the filing of this grievance, the grievant was selected pursuant to Subsection 205.13(a) to fill a GSR vacancy in Richmond that had been posted as No Qualified Bidders (NOB). He passed the school and is currently a GSR.

Discussion

Union opined that Company should have awarded grievant the vacancy pursuant to Subsection 205.7(d) contingent on his passing the GSR training school. Union further stated this had been the practice and why the junior Meter Reader had been through the school in 1998. After the junior Meter Reader completed the school, he did not report to the GSR vacancy he'd been awarded because he was unwilling to meet the residency requirement.

Company responded that for a while the job bidding team was awarding GSR vacancies to D bidders in seniority order contingent on passing the school. When this came to the attention of the IR Department, after complaints from clients about the delay in filling vacancies, the practice was discontinued, as it was not contractually proper. Subsections 205.1(a) and 205.9(a) both speak to awarding vacancies to the most senior of qualified (emphasis added) employees. The grievant was not qualified, the successful bidder was. The bypass of the grievant was proper.

Further, Company noted that the list of bidders has several D bidders who are senior to the grievant and were also bypassed. Even, if Company were to agree with Union's position, the grievant would not have received the first offer; another more senior employee may have accepted.

Meter Readers are next lower to Reserve Gas Service Representatives; they are B and C bidders to RGSR. Letter Agreement 79-120 states that bidders may be awarded RGSR vacancies contingent on passing the GSR training school. There is no such agreement for GSR's.

Finally, the PRC reviewed PRC Decision 966 settled in 1985. This decision makes it very clear that D bidders must be qualified to receive a job award.

While this issue could be resolved based on the information in the LIC report, in most grievances where job awards are at issue, more information is necessary and relevant. Such LIC reports should contain: the Job Vacancy Number, when it was awarded (to determine if the grievance is timely filed among other things), a copy of the Job Awards Bulletin, and a copy of the Job Vacancy Requisition showing the control date.

Decision

There was no violation of the Agreement in this case. It is closed without adjustment. Union stated they will be making a proposal to Company to modify the GSR line of progression to address the issue raised by this grievance.

Margaret Short

Margaret A. Short, Chairman
Review Committee

10/16/01

Date

Sam Tamimi

Sam Tamimi, Secretary
Review Committee

10-16-01

Date