

206.1; 601.1: Concerns the application of the "Demotion and Layoff Procedure applicable to Operators" to the Hunters Point PP. This application was a result of the displacement ees. from phase II steam plants. Several ees. who were assigned Operator position at HPPP under T-206 declined to report. In turn, all qualified ees. who indicated an interest in either Sr. Con. Ope. or Asst. Con. Ope at HPPP were given the opportunity to be placed there under T-206.



## REVIEW COMMITTEE

**IBEW**

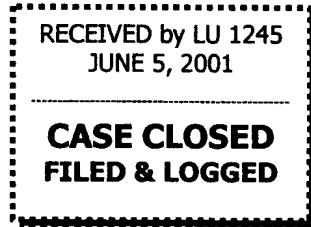


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SALIM A. TAMIMI, SECRETARY

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DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL



**Pre-Review Committee No. 12288**

Bill Meyer  
Company Member  
Local Investigating Committee

Hunter Stern  
Union Member  
Local Investigating Committee

### Subject of the Grievance

This grievance concerns the application of the "Demotion and layoff procedure applicable to Operators" section of Exhibit VI-B as it applies to the Hunters Point Power Plant (HPPP). This application was a result of the displacement of employees from phase II steam plants.

### Facts of the Case

Exhibit VI-B provides for an alternate method of applying Title 206 when displacements are due to the shut down of a plant. This alternative method includes a provision for the Company, at its sole discretion and after consultation with the Union, to decide how many operating classifications at a given plant may be available for displacement under Title 206.

The Company determined this number of displacement opportunities at HPPP to be 3 Senior Control Operator positions and 5 Assistant Control Operator positions. This was discussed with the Union prior to the start of the Title 206 process. All of these positions were vacancies. They represent more than 30 percent of the operator positions at HPPP. Four of the regular operator employees have less than 2 years of service. There are a total of 25 filled positions with a target staffing level of 28 at HPPP.

### Discussion

The Company members of the Committee argued that the intent of the alternate Title 206 process is clearly delineated in the first paragraph of Section B. It reads, in part, that the intent is to "provide a full staff of trained operators in each plant." Clearly, this was in recognition that the operating characteristics of each plant may be so different that there was need to limit the number of operators who displace into them so as to avoid impacting safe and efficient operation. It is also clear from the language that the parties intended for this decision to rest with the Company. The number set for HPPP represents over 30 percent of the available operator positions, the highest ratio set for any of the remaining plants.

The Union members of the Committee argued that the alternate Title 206 process only allows the Company to limit the number of employees who are displaced at a power plant. Inasmuch as the positions that were offered in the Title 206 process were all vacancies, the Company effectively set the number of operator displacements at HPPP at zero. This, the Union members of the Committee believe, is not consistent with the intent of the parties in reaching agreement on Section B.

Company noted Section 206.1(c) states that an appropriate vacancy shall substitute for the displacing of another employee.

Decision

After the filing of this grievance, several employees who were assigned operator positions at HPPP under Title 206 declined to report. In turn, those positions were offered to other displaced operations employees who had indicated an interest. All qualified employees who indicated an interest in either Senior Control Operator or Assistant Control Operator at HPPP were given the opportunity to be placed there under Title 206.

Therefore, without prejudice to the position of either party, the issue in this case is moot as all interested operations employees were provided the opportunity to displace into HPPP. On that basis, this grievance is considered closed.

*Margaret A. Short*

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Margaret A. Short, Chairman  
Review Committee

*6/5/01*  
\_\_\_\_\_  
Date

*Sam A. Tamimi*

\_\_\_\_\_  
Sam Tamimi, Secretary  
Review Committee

*6-5-01*  
\_\_\_\_\_  
Date