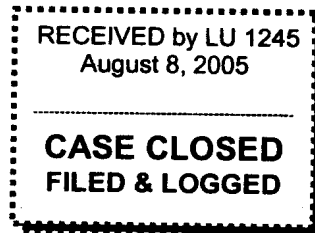




REVIEW COMMITTEE



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



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN
DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 14856 OM&C – Area 5 – Electric Office - Merced

Deborah Sargent
Company Member
Local Investigating Committee

Mike Grill
Union Member
Local Investigating Committee

Subject of the Grievance

The grievance states, Company has and continues to have Assistant Foreman's Clerks perform work on their own and without the direction of a Foreman's Clerk. The Company has and continues to have the Assistant Foreman's Clerks perform work outside of their job description on a regular basis in violation of the agreement. Cease and desist and fill the necessary Foreman's Clerks positions on a permanent basis as well as pay the appropriate bypass and upgrade and make the grievants whole for all monies and benefits lost.

Facts of the Case

In Merced, there is one Foreman's Clerk (at the plus two rate of pay) and three Assistant Foreman's Clerks. Two work in support of Compliance and the third, a Hiring Hall AFC, supports Pole Test & Treat.

Work assignments to the AFC's are not made by the Foreman's Clerk without first being approved by the supervisor so that work can be properly prioritized. The AFC's have worked an average of 8-10% overtime. The Foreman's Clerk usually declines the overtime. The grievants stated they generally have no contact with the Foreman's Clerk.

The two regular AFC's left the classification shortly after the filing of the grievance as they were the successful bidders to Sr. Operating Clerk I. Their vacancies were filled as AFC's.

Discussion

The grievants make the argument that one of them is physically remote from the Foreman's Clerk, that he does not direct their activities, that they know more than he does, that they work independently, and that they provide relief for the FC.

A review of the job descriptions for FC and AFC indicate they may work in a General Foreman's or Assistant Supervisor's office. The AFC definition states that they assist the FC or Senior Clerk. The LIC report indicates that this occurs, but the FC must go through the supervisor to request that assistance.

Further, the rate of pay of the Foreman's Clerk is contingent on how many AFC's there are in the headquarters. If the correction asked for, to create another FC were granted, the FC would take a cut in pay and none of the grievants would receive the job award.

Decision

No violation of the Agreement occurred. This case is closed without adjustment.

Margaret A. Short

Margaret A. Short, Chairman
Review Committee

8/5/05

Date

Sam Tamimi

Sam Tamimi, Secretary
Review Committee

8-5-05

Date