



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
245 MARKET STREET, OFC 233  
SAN FRANCISCO, CALIFORNIA 94119  
(925) 974-4282

JOHN A. MOFFAT, CHAIRMAN  
DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL

RECEIVED by LU 1245  
January 16, 2009

**CASE CLOSED  
FILED & LOGGED**

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

### Pre-Review Committee No. 16877 General Construction – Station Construction – Table Mountain

Jeff Neeley  
Company Member  
Local Investigating Committee

Roy Runnings  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This grievance challenges Company's sending Title 300 Apprentice Electricians to Crane Operations School for certification.

#### Facts of the Case

On June 1, 2005 a change in the California Code of Regulations became effective which impacted the requirements of employees who operate certain equipment. Section 5006.1, Title 8 of CCR mandated that employers,

“shall only permit operators who have a valid certificate of competency issued in accordance with this section by an Accredited Certifying Entity for the type of crane to be used to operate a crane covered by this section.”

All of the fleet equipment used in Station Construction for hoisting operations exceed twenty-five feet in length, therefore the operators must be certified. Beginning in 2005 Company began certifying employees on a voluntary basis, then supplemented its efforts in 2006 with an external service to expedite the process to get all Station Construction employees certified.

The Superintendent indicated, the types of work assignments has not changed. Apprentices may operate a crane for a few minutes up to a day at a time. They are upgraded to Crane Operator if the assignment exceeds two hours per day. There was no allegation that the assignments for Appr. Electricians to operate a crane is impeding or interfering with their apprenticeship training.

The Superintendent also indicated that prior to the certification requirement, the training on equipment was provided by journeymen qualified to operate the equipment. The employer determined qualifications.


Discussion

The Union argued this training should not be provided until the apprentice reaches unassigned or journey status as it detracts from the focus on Electrician skills, that crane operator training is not included in the negotiated apprentice training requirements, and therefore violates the General Construction Master Apprenticeship Agreement.

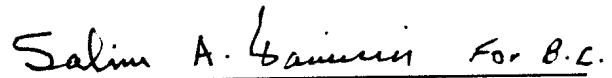
Company responded that it will comply with the law. Certification for crane operation is now legally required and all employees who may be assigned to operate cranes must be trained. Company provided the training on a voluntary basis at no cost to the employee. Most people passed but those who did not were not removed from their jobs. Company has the right to provide non-negotiated training to employees.

Decision

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

  
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John A. Moffat, Chairman  
Review Committee

1/14/2009  
\_\_\_\_\_  
Date

  
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Bob Choate, Secretary  
Review Committee

01-14-2009  
\_\_\_\_\_  
Date

MAS