



REVIEW COMMITTEE

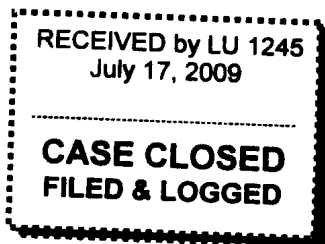


PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
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LOCAL UNION 1245, I.B.E.W.
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JOHN MOFFAT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

Pre-Review Committee No. 18823 Energy Delivery – Electric Transmission - Sacramento

Robin Wix
Company Member
Local investigating Committee

Darryl Norris
Union Member
Local Investigating Committee

Subject of the Grievance:

The Company contracted line work in violation of Exhibit XVI of the Agreement by not offering overtime to the Transmission Line Crews in Sacramento.

Facts of the Case:

The only work identified in the LIC report was performed by PAR Electric and consisted of the replacement of approximately 20 wood poles in the Sacramento Area. The work commenced on October 1, 2008 and concluded on December 14, 2008.

An "intent to contract" was not completed by the Company and the Company did not have the 4th quarter overtime sign up list. The Company stated that this work that PAR performed would have been normally assigned to the Title 300, Line Construction Crews and not to the Transmission Line Crews even through they can perform the work.

PAR worked a total of 1032 hours which includes straight time an overtime. Transmission Line during the time in question worked 38.5% overtime in October, 29.5% in November and 15% in December.

Discussion

The parties discussed the fact that Electric T&D, Title 200 and Title 300, should be the department in question. Transmission Line is not a separate department for the purposes of Exhibit XVI. If there was a violation it is not of the Agreement but of the administrative process in administering Exhibit XVI. That violation was the failure of the Company to file an "intent to contract" and that a quarterly sign up sheet was not completed. The remedy for those types of violations are to complete an "intent to contract" and to have a quarterly sign up procedure established.


It is clear that the employees in Transmission Line did work overtime for the time in question. This type of work is not typically assigned to a transmission line crew and is normally assigned to a GC

line crew. The specific dates or hours the crews believed they should have worked was not detailed in the facts of the case.

Decision


Given the facts provided in this case to this committee, the Company needs to follow the administrative provisions provided in the settlement of Arbitration 266. The facts do not demonstrate a violation of Exhibit XVI occurred.

This case is closed without adjustment.



John A. Moffat, Chairman
Review Committee
7/9/09

Date



Bob Choate, Secretary
Review Committee
7/9/09

Date