

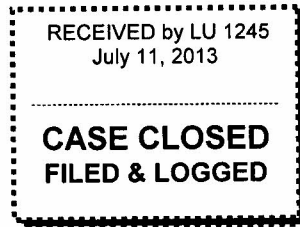


REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(650) 598-7567

DOUG VEADER, CHAIRMAN
DECISION
LETTER DECISION
PRE-REVIEW REFERRAL



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

F.E. (ED) DWYER Jr., SECRETARY

Pre-Review Committee Number 21798 Electric Operations – Electric T&D – Bakersfield

Monica Oakes
Company Member
Local Investigating Committee

Dave Sankey
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the bypass of a Compliance Inspector, who did not possess a Commercial Driver's License (CDL), for promotion to Electric Crew Foreman. At issue is whether the headquarters was at the 150% ratio of positions-to-vehicles requiring a commercial driver's license (CDL).

Facts of the Case

The grievant was bypassed for an Electric Crew Foreman vacancy in Bakersfield for not possessing a CDL. The Company required the successful bidder to possess a CDL with the understanding that the department and headquarters were below the 150% of qualified commercial drivers as provided for in LA 90-113 and LA 12-08.

As of the vacancy control date, there were 13 commercial vehicles, including three long-term rentals, assigned to the Bakersfield Electric T&D Department. Based on this number, the 150% threshold of CDL required positions would be 20. As of the vacancy control date, there were 23 employees in CDL required positions.

Four of the 23 employees (three Pre-Apprentice Line Workers and one Apprentice Line Worker), possessed a CDL, but had not attended the Advanced Driving School or completed observed field job experience. As such, the Company did not consider them qualified to operate a commercial vehicle and subtracted them from the 23 total positions. This brought the total to 19 which was one below the 150% threshold.

Discussion

At the outset, the Committee agreed that the Company has the right to require additional training and observed on the job experience before allowing employees to operate

commercial vehicles. Additionally, the Company has the right to opt to restrict Pre-Apprentices from driving commercial vehicles. These additional requirements and restrictions were made with input from a Committee which included bargaining unit represented employees, but are not part of a negotiated agreement modifying the CDL letter provisions.

The Committee reviewed P-RC Numbers 20334 & 20335, which confirmed that the 150% ratio includes those classifications which require a CDL either by job definition or by CDLA designation. Both the Pre-Apprentice and Apprentices required to possess a CDL, however, possession of a CDL is not an entrance requirement into the Pre-Apprentice classification (they are required to obtain a CDL between the 6th and 12th month step).

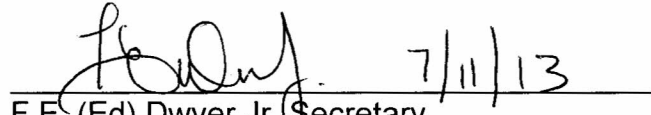
Decision

The Committee agrees that in determining whether the 150% ratio has been met, Pre-Apprentices are not included and Apprentices are. As such, as of the vacancy control date, there were 20 positions requiring a CDL which meant the 150% ratio had been met and the grievant was improperly bypassed.

Since the filing of this grievance, the grievant has retired. Had the grievant not been bypassed, his pension would have been based on the Electric Crew Foreman classification, rather than the Compliance Inspector classification. The Committee agrees that the grievant's pension will be recalculated based on the Electric Crew Foreman classification and adjustments will be made retroactive to his March 1, 2013 pension date.

This case is closed with this adjustment.


 Doug Veader, Chairman
 Review Committee


 F.E. (Ed) Dwyer Jr., Secretary
 Review Committee