

REVIEW COMMITTEE

PG and E

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IBEW



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L.N. FOSS, SECRETARY

D.J. BERGMAN, CHAIRMAN

REVIEW COMMITTEE DECISION

DECISION

LETTER DECISION

PRE-REVIEW REFERRAL

Review Committee File Nos. 1403-76-7 and 1410-76-14
Shasta Division Grievance Nos. 13-75-20 and 13-14-76-14

Subject of the Grievances

Whether the work of installing crossarm and insulators by two Troublemens on Sunday, October 26, 1975, was improperly assigned and whether the emergency call-outs on May 30, 1976, were in violation of Title 212 and Exhibit VI-L of the Job Definitions and Lines of Progression.

Discussion

The unresolved issues in both cases can be narrowed down to the utilization of Troublemens to locate and identify outages and then restore service. The grievants, line crew members, argue that the service restoration performed by the Troublemens, in both cases, is work that line crews are normally assigned. Therefore, in their view of Title 212 - Emergency Duty, of the Labor Agreement, they are entitled to be paid as if they had worked.

In Review Committee File No. 1403, there was only one crew volunteer on the weekly sign-up list, a Line Subforeman, and in Review Committee File No. 1410, the only crew volunteer was a T&D Driver, thus, they are the only grievants of record that the Review Committee can contractually consider.

The issue set forth above asks the question "where, in an emergency call-out situation, the Troublemens' work ends, and at what point a line crew should be called?" Recognizing the importance and difficulty of the question presented, the Review Committee held a hearing in Redding to obtain further insight into the total program represented. After deliberating further, the Review Committee set forth the following findings with respect to the broad issue presented:

1. Initially, Troublemens will be dispatched to locate and identify the extent of an outage.
2. It is the responsibility of Troublemens to make necessary immediate repairs to restore service provided that the work performed by them does not (a) create a hazard to their personal safety or the safety of others, or a hazard to property, or (b) does not exceed their capabilities of manpower, tools or equipment, and (c) does not violate the Company's Accident Prevention Rules, including regulations set forth in Accident Prevention Rule No. 9.

When Troublemens determine from their examination of the particular situation that one or more of the factors above are present and supervision concurs, then the call-out procedures should be utilized to procure the appropriate manpower to effectively make repairs and restore service. Turning to the cases at hand and applying the factors established in paragraph 2 above, it is apparent to the Review Committee there was no need to procure additional manpower to do the jobs properly.

These cases are further complicated by the fact that in both instances referred to above, the Districts did not have a crew available from the sign-up roster of those who had committed themselves to overtime work, and the contractual obligations, if any, provided for in Title 212 of the Agreement only apply to those employees volunteering for emergency duty, otherwise supervision is free to utilize the manpower available to them in making necessary restoration service.

Decision

In view of the length of time these cases have been pending and irrespective of the merits of the cases, as described above, the Review Committee agrees to adjusting Review Committee File Nos. 1403 and 1410. These adjustments are without prejudice to the positions of either Company and Union in future grievances.

FOR UNION:

W. H. Burr
E. R. Sheldon
L. N. Foss

By

L. N. Foss

Date

6-2-77

FOR COMPANY:

J. A. Fairchild
F. C. Buchholz
D. J. Bergman

By

D. J. Bergman

Date

6-2-77