

REVIEW COMMITTEE

PG and E

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REVIEW COMMITTEE DECISION

☒ DECISION

☐ LETTER DECISION

☐ PRE-REVIEW REFERRAL

Review Committee File No. 1426-77-13

San Joaquin Division Grievance No. 25-98-77-33

Facts of the Case

The grievance concerns the temporary filling of a relief Distribution Operator's job, who was temporarily upgraded to an exempt position, starting March 17, 1977, and lasting until the end of July, 1977. The unresolved issue concerns the Division's ability to temporarily upgrade a shift employee to a relief shift classification.

Discussion

The Review Committee, in analyzing this case, examined Title 205 of the Physical Labor Agreement and the Labor Agreement Clarification, Titles 202, 205 and 208, Utilization of Relief Shift Employees, dated November 1, 1967. The Agreement and Clarification do not deal specifically with this type of an upgrade, and upon examination of both, it becomes clear that if the Company had the capability of temporarily upgrading a shift employee to a relief shift classification, the net result would be to negate substantial portions of the Clarification. Section E of the Clarification is the only section that allows for the temporary upgrading to a relief classification and that provides for a relief shift employee from a lower classification being upgraded to a higher relief classification. Section G of the Clarification does provide for appointments to relief shift classifications, and the Review Committee is in agreement that this section was intended for the filling of permanent vacancies and, therefore, the appointment on a temporary basis is proper.

Decision

In view of the foregoing, the Review Committee agrees that the assignment of Mr. W. M. Bonds to the Relief Distribution Operator classification was improper, and the grievants are entitled to the correction asked for. Therefore, the Review Committee is in agreement that, pursuant to Section C of the Clarification, Distribution Operators Culton, O'Mara, Pease and Rudel are entitled to share equally an amount equivalent to 1½ times the daily rate for Distribution Operators plus appropriate shift premiums for each day W. M. Bonds provided relief. This case is considered closed on the basis of the foregoing and the adjustments provided herein.

FOR COMPANY:

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

FOR UNION:

W. H. Burr
G. W. Abrahamson
L. N. Foss

By D. J. Bergman

By L. N. Foss

Date 1-18-78

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