

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
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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 No. 1436-78-3
Fact Finding Committee No. 698-77-295
Gas Utilization Grievance No. 88-1-77-1

Subject of the Grievance

The case concerns the bypass of 14 employees to Materials Leadman (1085) for their failure to fulfill the typing requirement and/or the Class I Driver's License requirement of the classification.

Facts of the Case

The Joint Statement of Facts indicates that the grievants, at the time of their postbids, had not met the requirements of the Materials Leadman classification, as outlined in Title 600, Exhibit VI-A, of the Job Definitions and Lines of Progression, General Services Department. At the outset, this case appears to be easily resolved on the basis of Section 205.11 of the Physical Labor Agreement. However, Title 600 does provide that the Company may waive the license and typing requirements due to operational flexibility, and the question of the waiver, by itself, becomes the primary issue in dispute.

The Materials Facility at the Gas Meter Shop is new, and the job grieved is part of the original staffing of the Meter Shop. The Materials Facility staff, at the time of this dispute, consisted of four Materials Department employees, working a two-shift operation and, in the opinion of Management, the operational flexibility necessary to allow a waiver of the aforementioned tests did not exist at the time of the job award nor does it exist currently. Therefore, the waiver was considered but not proposed to Union. In the absence of such a proposal and Union's concurrence, the Contract requires the successful postbidder to have passed the typing test and possess a Class I California Driver's License.

The record indicates that two of the grievants (E. Broussard and L. Beliso) possess Class I Driver's Licenses but had never taken a typing test, and with that being the case, each was entitled, at the time of postbid, to have been afforded the opportunity to demonstrate this qualification. Therefore, the Review Committee requested that these two grievants be given the test. By letter dated March 1, 1978, E. Broussard notified East Bay Division that he was no longer

interested in the job at issue. The other grievant, L. Beliso, was, at the time of the job award, on a leave of absence, which continues to the present time, and as such, was not offered the typing test. Another grievant, W. Gile, who had successfully passed the typing test but possessed a Company restricted Class I Driver's License withdrew his postbid on the job at issue on April 4, 1978.

Decision

It is the decision of the Review Committee that the bypasses of the grievants were for proper cause. This case is considered closed on the basis of the foregoing and the closure so noted by the Local Investigating Committee.

FOR COMPANY:

F. C. Buchholz
J. B. Stoutamore
D. J. Bergman

FOR UNION:

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

By *D. J. Bergman*
Date *August 16, 1978*

By *Lawrence N. Jose*
Date *Aug 16, 1978*