

# REVIEW COMMITTEE

**PG and E**

PACIFIC GAS AND ELECTRIC COMPANY  
245 MARKET STREET, ROOM 444  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 781-4211, EXTENSION 1125

**CASE CLOSED JUN 1 0 1981**

**LOGGED AND FILED**

**RECEIVED JUN 1 0 1981**

REVIEW COMMITTEE DECISION

**IBEW** 

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(415) 933-6060  
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Review Committee File No. 1517-81-1  
Sacramento Division Grievance No. 6-110-80-9

## Subject of the Grievance

The grievant, an intermittent Clerk D in Customer Services Department, was required by Company to requalify her typing skills before being awarded a transfer to a full-time Utility Clerk-Typist position. Due to her failure to pass the typing retest, the grievant was bypassed for the job in question.

## Facts of the Case

The grievant was employed on March 10, 1975, as an unscheduled, temporary, part-time Clerk D in the Customer Services Department. Subsequent to this, she submitted transfer applications to various full-time clerical jobs. In order to qualify herself for consideration to the position of Clerk D-Typist (now Utility Clerk-Typist), on February 2, 1978, she took and passed the required typing test.

In May 1980 the grievant was the senior transfer applicant for a position of Utility Clerk-Typist in Solano District, Sacramento Division. Prior to being awarded this job, the grievant was notified by Company that she would have to requalify her typing skill level. The grievant requested and received a one week's delay in taking the test as she felt a need to brush up her typing skill which had not been utilized in her work as Cashier in the Customer Services Department.

When the grievant retook the typing test on May 14, 1980, she failed to achieve a passing grade and was bypassed for the vacant position. The Union filed a grievance contending that Company had no right to require a retest of the grievant's typing skills and that once the grievant had qualified for the job in question, she remained qualified.

## Discussion

The Review Committee, in discussing this case, took notice of the fact that before the Clerical Agreement was changed in 1977, through General Negotiations, Subsection 18.5(b)(2) provided that "Company may nevertheless reject the transfer request of any such employee who does not possess the ability to perform the duties of such classification and who has not demonstrated the qualifications required to progress in the Line of Progression of the classification which is vacant." In thinking that this now-absent language might have a bearing on this case, the Committee reviewed the intent of the Negotiating Committees in removing this language from the Agreement. It was determined that the basic intent at that time was to remove the requirement of successfully completing the A.C.T. math test in order to transfer to certain jobs. The language was not removed to indicate that there was no longer a need to require a demonstration of certain appropriate work skills before awarding a vacancy in accordance with the transfer procedure.

In the case at hand, over the two-year period since the grievant had taken the typing test, her typing skill had deteriorated and also the test had been changed. Both of these factors seemed to have an effect on the grievant's ability to pass the typing test. It was also apparent that the one week's delay requested by the grievant to brush up her typing skill was not adequate.

The Company's members of the Review Committee opined that for two specific clerical skills, typing and shorthand, there was a valid need to test transfer applicants prior to awarding a job which primarily utilized these skills. The Union's members of the Committee agreed with the Company's opinion noting that an employee, placed in a beginning level job, who did not possess the necessary skills of that classification could be subjected, at some point, to demotion or dismissal. However, the Union's members opined that for at least one year's time following testing, it could be reasonably assumed that an employee would retain his/her tested skills at the same level.

Also discussed, in passing, was a recent Materials Department negotiated settlement relating to the right to utilize Company typewriters, either manual or electric, but not during work hours to sharpen typing skills prior to taking the typing test required for certain of the Material Department's jobs.

#### Decision

Taking all of the above into consideration, the Review Committee determined that the job bypass of the grievant was not in violation of the Agreement. However, in the future, any employee who, except those employees then classified as typist or stenographer, is the senior transfer applicant for a clerical job classification of typist or stenographer may be required by Company to pass a retest of such skills if more than one year's time has elapsed since the employee was last tested and met the minimum requirements for those skills.


Also, at the employee's request, the retest and the award of the job for which the employee is being considered shall be pended for not more than 30 calendar days in order to allow the employee time to sharpen or improve the skills referred to above. Company shall notify the employee of this option at the time he/she is being considered for the job. During this 30-calendar-day period, the Company will make a typewriter available for typing practice on Company property but not necessarily during the employee's work hours provided that there is a typewriter at that headquarters which is not in use. If at the end of the 30-day period, or sooner if the employee desires, the employee takes and fails the retest, such employee shall be bypassed for the job in question.

The Review Committee, in going beyond this instant case, determines that an employee other than a typist or stenographer who is the senior bidder for a clerical job classification of typist or stenographer will be subject to the same rules and rights as specified in this "Decision." That is, the employee must have qualified on the appropriate typing or stenographic test within a one-year period of the date of consideration for a vacancy or must requalify under the same conditions stipulated above.

This case is closed without adjustment.

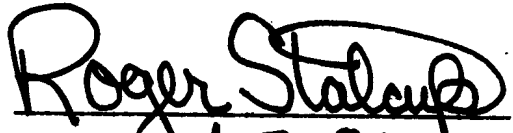
FOR COMPANY:

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

By   
Date 6-3-81

FOR UNION:

G. W. Abrahamson  
W. H. Burr  
P. Pelucca  
R. W. Stalcup

By   
Date 6-3-81

Local Union 1245  
International Brotherhood  
Electrical Workers



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July 29, 1981

Mr. David J. Bergman  
Chairman, Review Committee  
Pacific Gas and Electric Company  
245 Market Street, Room 444  
San Francisco, CA 94106

RE: REVIEW COMMITTEE FILE NO. 1517-81-1

Dear Dave:

During discussion and the exchange of written drafts proposing the specific language of the settlement of this grievance, Union included in its proposed draft marked "DRAFT/IBEW April 1981" the following paragraph:

"The Committee also examined Section 18.11 of the Clerical Agreement and concluded that inasmuch as it deals with the right of Company to reject a bid, it has no application to this case which involves a transfer."

During the Review Committee meeting of May 28, 1981, a Company-submitted redraft of Union's previous draft was discussed, amended and approved. Union members, however, failed to note the deletion of the above-mentioned paragraph.

While the Review Committee Decision was signed by each of us on June 3, 1981 without this paragraph, Union herein wishes to inform Company that we believe the paragraph is a valid and supportable position. Simply because it was not included in the Decision should not be construed to mean that Union has changed its collective mind as to the validity of the statement. Should an appropriate situation arise, Union will again advance this position.

Thank you for your attention to this matter.

Sincerely,  
A handwritten signature in black ink that reads "Roger Stalcup". The signature is written in a cursive style with a large, looping "R" and "S".

Roger Stalcup  
Secretary, Review Committee

RWS/rlm  
cc: GWAbrahamson  
WHBurr  
PPelucca