

206.18; 612.4: This is a work jurisdiction case that involved Telecom. Tech. in installation of a new operating system in the Cisco router at the Capitola office. Agreed that before new technology is implemented, Co. would discuss with Union.



REVIEW COMMITTEE

IBEW



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MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

RECEIVED by LU 1245
APRIL 3, 2003

**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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SALIM A. TAMIMI, SECRETARY

Review Committee No. 12674 ISTS – Coast Valleys – Salinas

Shannon Walden
Company Member
Local Investigating Committee

Bill Brill
Union Member
Local Investigating Committee

Subject of the Grievance

This case is one of work jurisdiction. The work involved installation of a new operating system in the Cisco router at the Capitola office.

Facts of the Case

The procedure for upgrading an operating system for routers used to involve changing a chip and would be performed by a Telecom Tech. Technology has advanced to the point where the upgrades may be performed electronically with no hardware manipulation. A software file is stored on a network file server, and to upgrade a router, an employee instructs the router by using software commands over the network to get and install the new file in the Electronically Alterable Programmable Read Only Memory (EAPROMS) of the router to be upgraded.

Discussion

Union argued they should be the ones to enter the commands to upgrade the router as the work remains but the methodology changed. Union argued this evolution of work is analogous to how telephone switch changes have evolved. Where before, Techs had to physically move and program telephones, it can now be done electronically with commands and this had been determined to still be their work.

Company responded that router upgrades were always done under the direction of a Network Specialist who had to instruct the Tech what commands to enter after the hardware change (chip installed) was made. Without the need to install the hardware, all that's left are the commands, which is exempt work.

In discussing this case, the parties realized there are circumstances where it makes sense for either the bargaining unit Tech or the Network Specialist to load a new operating system, as this is a task to be completed as part of a larger job.

Depending on who is performing the larger job, the loading of the new operating system becomes their work for that job.

For example, if a Technician is diagnosing or fixing a hardware problem and has to load a new operating system, it is appropriate for the Technician to do so.

On the other hand, software manipulation and installation is the jurisdiction of management. An example would be a system upgrade of the operating system for routers system-wide. A Network Specialist from a single location could perform this.

Further, the parties agreed that in the future, before new technology is implemented, Company would discuss with Union.

Decision

Based on the above understandings, this case is closed without adjustment.

For the Company:

Margaret A. Short
Ernie Boutte
Dave Morris
Malia Wolf

By: Margaret Short

Date: 4/2/03

For the Union:

Sam Tamimi
William R. Bouzek
Ed Dwyer
Sherrick A. Slattery

By: Salim A. Lamine

Date: 4-2-03