



PACIFIC GAS AND ELECTRIC COMPANY
 2850 SHADELANDS DRIVE, SUITE 100
 WALNUT CREEK, CALIFORNIA 94598
 (925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

REVIEW COMMITTEE

RECEIVED by LU 1245
 December 6, 2004

**CASE CLOSED
 FILED & LOGGED**

IBEW



INTERNATIONAL BROTHERHOOD OF
 ELECTRICAL WORKERS, AFL-CIO
 LOCAL UNION 1245, I.B.E.W.
 P.O. BOX 2547
 VACAVILLE, CALIFORNIA 94696
 (707) 452-2700
 SALIM A. TAMIMI, SECRETARY

Review Committee File Numbers

- 13111, 13625 OM&C – Electric T&D – Bakersfield
- 13142 OM&C – Electric T&D – Richmond
- 13792 OM&C – Electric T&D – Willits/Ukiah
- 13793 OM&C – Electric T&D – Oakland/Richmond
- 13840 OM&C – Electric T&D – San Francisco
- 13908 OM&C – Electric T&D – Buellton
- 13915 OM&C – Electric T&D – Fresno
- 13956 OM&C – Electric T&D – Hollister
- 14325 OM&C – GC Line – Rocklin/Chico
- 14309 OM&C – Transmission Line – Sacramento

Jeff Neeley
 Pat Medrano
 Maggie Brown
 Vern Wittman
 Melanie Curry
 Monica Oakes
 Paula Jean
 Brenda Marks
 Mary Cogan
 Company Members
 Local Investigating Committee

Ed Dwyer
 Lula Washington
 Rich Cowart
 Landis Martilla
 Dan Lockwood
 Ed Caruso
 Mike Haentjens
 Roy Runnings
 Darryl Norris
 Union Members
 Local Investigating Committee

These grievances all concern contracted work, mostly pole replacement, allegedly without considering optimum overtime. Most of the provisions of Exhibit XVI were effective July 1, 2000; and all provisions became effective in December 2000 for most departments. However, based on the resolution of Business Manager's Grievance 01-01, Items 5 & 6 of the Departmental Contracting Out provisions of Exhibit XVI were not operative in Electric T&D until such time as the department reached the pre-Exhibit XVI floor number of 2447. This headcount was achieved in October 2003, at which time the full provisions of Exhibit XVI became effective in Electric T&D.

In an effort to resolve grievances, the parties agreed to close these cases without adjustment since most of the contracted services were Hiring Hall, IBEW Outside Line, or IBEW signatory contractors. There are precedent level contracting out decisions under Section 207.2 that provided for the payment of dues to Union. These decisions provided guidance for this decision.

Electric T&D Exhibit XVI grievances filed after October 2003 will be discussed by the Review Committee for determination of compliance with or violation of Exhibit XVI. If the Review Committee is unable to reach agreement, the issues will be referred to arbitration for the next available scheduled hearing date, January 24, 2005.

Decision

These cases are closed without adjustment and without prejudice to the position of either party.

For the Company:

Margaret A. Short
Bob Lipscomb
Dave Morris
Toby Tyler

For the Union:

Sam Tamimi
William R. Bouzek
Louis Mennel
Sherrick A. Slattery

By: Margaret Short

By: Sam A. Tamimi

Date: 12/3/04

Date: 12-3-04