



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
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CASE CLOSED
FILED & LOGGED

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

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

REVIEW COMMITTEE No. 15247 OM&C Gas T&D – Area 5 – Modesto

Deborah Sargent
Company Member
Local Investigating Committee

Gary Hughes
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the assignment of a temporary Gas Crew Foreman working alone to perform gas stub completions, also known as, gas service tie-ins of applicant installed facilities. The correction asked for is "cease and desist and return to the agreed to methods and crew members for the performance of these duties."

Facts of the Case

The work involves the connection of applicant installed gas services (all required material provided by applicant) of ½" – 1" diameter pipe to Company's facilities.

The utilization of an employee working alone performing the above work was grieved in this headquarters, Modesto, in May 2003 and settled October 9, 2003 as Fact Finding Case No. 14328 with agreement that:

- The Underground Construction Journeyman (UCJ) may perform this work alone
- Gas Crew Foreman and one other employee may perform this work
- This work is not appropriate for a Utility Worker working alone
- The job description for Fitter and one other employee excludes gas service installations

At some time following the resolution of FF 14328, management in Modesto began using the Gas Crew Foreman (GCF) classification to perform service tie-ins. Those who did not hold that rate were upgraded to GCF. This current grievance was filed in August 2004. The named grievant is IBEW, Local 1245.

Discussion

This grievance has been discussed extensively at each step in the grievance procedure. The parties concluded that the work can safely be performed by a qualified individual working alone as has been negotiated and demonstrated by the UCJ.

Union made the following arguments:

- Note 10 (2) of the Job Definition for UCJ allows for the "Installation of stub completion services (gas and electric) in customer-dug trenches", while working alone when qualified.
- Note B (1) of the Job Definition for Gas Crew Foreman describes work that "shall not be assigned to two-man units". It specifically excludes installation of plastic services in excess of 2" or inserts in excess of 1 1/4". The inference being that the work at issue in this grievance may be performed by a two-person unit, the GCF working with a "qualified employee".
- Note A (3) of the Job Definition for Fitter lists work that may be performed by the Fitter and one other employee (Appr. Fitter or Fieldman). Subnote (c) states:
"minor alterations to services including abandonments (does not include installation."
Even with one other employee, the work at issue in this grievance may not be performed by a Fitter.
- Note 2 of the UCJ Job Definition states that employees assigned on a temporary relief basis to UCJ "will be limited to their regular job description". Union noted that by citing job description, it was intended that the temporary employee be limited to work that could be performed in the base classification; therefore neither the GCF nor Fitter could perform the service tie-ins working alone.
- Fact Finding No. 14238 has already resolved this issue and Company is not compliant.

Company responded that the UCJ is shown as next lower in the line of progression to GCF. The parties have historically agreed that a classification may perform the work of classifications lower in the line of progression to it. Company's objective is to provide service to the customer in a safe, responsive, and efficient manner and that is the reason behind assigning a single-person unit in areas where the UCJ classification is not established. Customers have alternatives to utilizing PG&E for this work and our ability to connect the customer utilizing a single person makes us more competitive in meeting the customer's needs. In many instances, the service tie-in is performed by the journeyman or higher that is performing the inspection work. In areas where there is substantial new development, there is sufficient tie-in work to support the UCJ, but in other areas there isn't that volume.

Union noted that the UCJ rate is actually higher than the GCF when the \$50 per week is added. Union further asserted that the reason the UCJ is shown as lower to GCF is in the event of Title 206 activity, a UCJ would not be able to displace a GCF.

The parties also discussed proposals made by the parties in two recent rounds of Gas Department Line of Progression Ad Hoc negotiations. These sessions did not result in any change to the affected classifications.

Company informed Union that it will be filling 20 Underground Construction positions and the vacancy requests have already been submitted to the Centralized Job Bidding Team (CJBT).

Decision

In the interest of resolving this case and providing service to customers, the Review Committee agreed to the following:

- The issue raised in this grievance will be referred to an Ad Hoc Committee who is to conclude its work by December 31, 2005 and make a recommendation for revising the negotiated Job Definitions and/or compensation for the affected classifications.
- In the interim, Division employees who are assigned to work alone may, at their option, perform gas service tie-ins and when they do they shall be compensated at the UCJ or Underground Construction Foreman rate on a daily basis as follows:
 - Fitter to UCJ at \$26.61 per day
 - Fitter Arc to UCJ at \$19.34 per day 21.
 - GCF at Start or GCF non-welding to UCF Start at \$9.00 per day 10.00
 - GCF welding/1 year to UCF/1 year at \$13.65 per day
- Employees need not perform service tie-ins in excess of two hours per day to receive the above temporary rates. The provisions of Section 204.3 are waived.
- Company may consider the provisions of Section 205.11 when making assignments for inspection.
- In general, Company will assign the senior qualified volunteer.

This case is closed on the basis of the above understanding.

For the Company:

Margaret A. Short
Bob Lipscomb
Dave Morris
Craig Porter

For the Union:

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

By: Margaret Short

By: Salim A. Lamin

Date: 8/5/05

Date: 8-8-05