

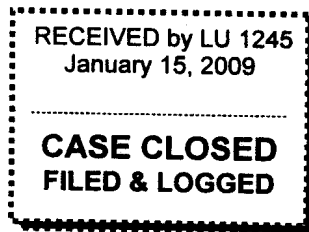


REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
P.O. Box 770000
San Francisco, CA 94177
(415) 973-6723



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

JOHN A. MOFFAT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

BUSINESS MANAGER GRIEVANCE NO. LR-IBEW-06-04 REVIEW COMMITTEE No. 16903

John Moffat
Company Member
Local Investigating Committee

Larry Pierce
Union Member
Local Investigating Committee

Subject of the Grievance

Union challenges the assignment of Gas Fieldpersons to mark and locate electric primary in electric enclosures, because they are not Qualified Electrical Workers (QEW).

Facts of the Case

The work at issue involves utilizing a Title 200 Fieldperson to clip a locating tool onto a bare concentric neutral where the target cable or circuit is energized at 600 volts or more in dead-front designed equipment when utilizing the conductive mark and locate method;

or by encircling an energized high voltage conductor with a clamp when utilizing the inductive clamp mark and locate method.

Either tool allows the Fieldperson to locate the path of underground electric cable to fulfill underground service alert (USA) needs. The dead-front design of the circuit neutral, case ground bus wires, and equipment case are all connected together as one common ground with zero potential.

The job definition of Fieldperson from Letter Agreement 01-19 reads:

0524 FIELDPERSON

An employee who is engaged in the construction, **maintenance** and operation of gas transmission and distribution facilities and **other underground systems**. Under the direction of a Gas Crew Leader, Fitter or Gas Mechanic, performs such duties as installing leak repair clamps, domestic meter sets, miscellaneous pipe fitting, lighting pilots, operating equipment such as earth-boring equipment, small pressure control equipment, leak detectors, pipe locators, small trenchers and other equipment of 30 hp or less. May work alone in performing such duties as truck driving, operating compressors, concrete saws, routine leak surveys, pipe locating, taking pipe to soil potentials. Performs clerical work associated with these duties.

duties, which may be performed by a Fieldperson working alone, may also be performed by a Fieldperson when assigned as a member of a crew. May be assigned to drive the crew truck and assist the Gas Crew *Leader* in the performance of the clerical work of the crew.

Notes on Fieldperson Definition:

The classification of Fieldperson was developed to perform all duties of the Apprentice Fitter except that of welding. The Fieldperson's duties shall be performed as a part of a crew except for the following work under the conditions herein stated:

- I. The Fieldperson classification is to be used on **all marking and locating assignments where that activity is the principal assignment**. May answer questions and give advice to others while on such assignments if that activity is incidental to primary involvement of marking and locating facilities. The Fitters who were assigned to this work as a principal duty prior to January 1, 1980 will continue to do so until such time as they vacate the classification or request a different work assignment.

On April 27, 2007 the Review Committee; representatives from Safety, Health and Claims; Compliance; Learning; CAL OSHA; and the CPUC visited the Livermore Training Center for a demonstration of the two work methods. Following that demonstration, the CAL OSHA representative rendered an informal opinion indicating that the conductive method (clip-on) required a Qualified Electrical Worker (QEW) and the inductive method (encircling) required a Qualified Worker (QW). It was confirmed by Safety, Health, and Claims attorney that QEW status is determined by the Company.

Discussion

The parties reviewed the negotiated job definition for the Fieldperson classification and are in agreement that it clearly assigns to that classification marking and locating of all underground Company facilities. With respect to the marking of primary in electric enclosures, Company practices vary in the system. In some areas Fieldpersons have performed this activity for many years; in other areas they have not.

As to the level of qualification needed to safely locate electric primary, the parties are in disagreement as to whether a QEW or QW is required. The responsibility for that determination and compliance with governing laws rests with Company.

This Business Manager's Grievance was filed on September 8, 2006. Since then, the parties have met many times to gather information, discuss the issue, revise the training design and material in an attempt to resolve this matter. A detailed Joint Statement of Facts was signed on January 25, 2007 and it documents the parties' findings and agreements.

At the June 28, 2007 Review Committee meeting, it was agreed that an Ad Hoc committee would be formed to address the training issues which precipitated the filing of this grievance and other matters related to the safe performance of the work.

On September 26 and October 4, 2007 Lean Six Sigma committees met to discuss this and other Gas T&D related issues.

At the December 20, 2007 Review Committee meeting, Union informed Company that they were no longer willing to join in an Ad Hoc Committee.

Many attempts were made by Company to work collaboratively with Union to resolve this issue jointly. Throughout this time period there were on-going negotiations to update and revise the Gas T&D Job Definitions and Lines of Progression which included offers of pay increases. In the recently ratified Agreement changes were made in the Fieldperson job definition modifying the language in note I and this work is no longer the primary work of a Fieldperson.

Decision

It is the parties intention that anyone assigned these duties in the Gas Department must first have been adequately trained to perform the job safely. The parties are referring this case to the ad hoc committee addressing training for Gas T&D employees as a result to the 2008 bargaining settlement.

For the Company:

John A. Moffat
Gayle Hamilton
Dave Morris
Malia Wolf

By: 

Date: 11/14/2009

For the Union:

Bob Choate
William R. Bouzek
Louis Mennel
Karen Russell

By:  For B.C.

Date: 01-14-2009

