



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
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SAN FRANCISCO, CALIFORNIA 94177
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APR 15 1994

**CASE CLOSED
LOGGED AND FILED**

RECEIVED APR 11 1994

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Review Committee File No. 1750-92-21
Central Division Grievance No. CEN-91-5
Arbitration Case No. 197

REVIEW COMMITTEE DECISION

Subject of the Grievance:

This grievance concerns the utilization of 20 yard dump trucks by Title 300 employees on a Title 200 crew.

Facts of the Case:

Overtime was pre-arranged for a Division Gas Crew on a Sunday. The Crew Foreman requested 20-yard dump trucks with operators from the General Construction Department. The Division did not have 20 yard dump trucks. The Crew Foreman opined that the 20-yard dump trucks would be more efficient on the job.

The Division yard had no operators trained to operate the 20-yard dump trucks and General Construction would not send the trucks without the operators. The General Construction drivers worked 12 hours on Sunday, April 21, 1991.

Discussion:

The Union is of the opinion the Company had an obligation in this case to assign the hauling work to the qualified drivers in the Division. The Division has 10-yard dump trucks and drivers available to operate them.

The Union further opined that if the Company intends to use the 20-yard trucks it should either purchase or rent the equipment and familiarize the qualified personnel on their operation. The Union points out that an equipment operator is the qualified classification that can operate either 10 or 20-yard dump trucks.

The Company believes it was within its rights to determine what type of equipment was to be used for the particular job in question. In this case, the decision to use the larger dump trucks was based on the operational need to minimize the number of trucks operating in congested areas of downtown Oakland.

In addition to not having the larger dump trucks available to be used by the Division employees, none of the Division employees had been trained or "checked out" on the operation of these trucks.

The Company and Union have had further discussions around the issues of loaning Title 300 employees to Title 200 crews. The Company sent a letter to the Union on February 18, 1994, stating that the Company has stopped the loaning of Title 300 employees to perform Division Gas T&D work.

Disposition:

The Company has stopped the loaning of Title 300 employees to Division Gas T&D crews. The issue that still needs to be addressed is the payment of overtime to those Division employees who would have worked had the Title 300 employees not been assigned to the crew on April 21, 1991.

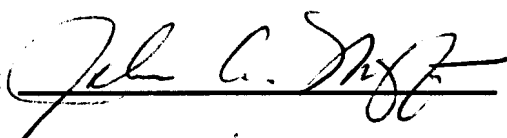
The Committee agrees to pay the two employees by-passed for the overtime on April 21, 1991. The payment will be 12 hours at the overtime rate for each of the two employees. This case is closed on the basis of the above and without prejudice to the positions of the parties.

FOR COMPANY

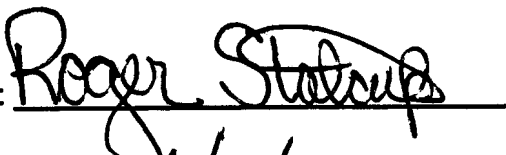
William G. McLoughlin
Lawrence F. Womack
Jane K. Yura
Rick R. Doering

FOR UNION

William R. Bouzek, II
Sherrick Slattery
James G. Lynn
Roger W. Stalcup

By: 

Date: 4/8/94

By: 

Date: 4/16/94