



LETTER AGREEMENT NO. 95-04-PGE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
INDUSTRIAL RELATIONS DEPARTMENT
201 MISSION STREET, ROOM 1513A
MAIL CODE P15A
P.O. BOX 770000
SAN FRANCISCO, CALIFORNIA 94177
(415) 973-3425

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

RONALD L. BAILEY, MANAGER OR
DAVID J. BERGMAN, DIRECTOR AND CHIEF NEGOTIATOR

JACK MCNALLY, BUSINESS MANAGER

January 25, 1995

Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P. O. Box 4790
Walnut Creek, CA 94598

Attention: Mr. Jack McNally,

Gentlemen:

Company proposes, in San Francisco Division, Electric T&D Department, to create a Night T&D Equipment Operator classification, in accordance with the grievance settlement in Grievance No. SFO-94-105 (see attached).

Company proposes the following wage schedule:

Night T&D Equipment Operator - San Francisco Division

Progression	Rates Effective	
	1-1-95	1-1-96
Start	862.65	890.70
End 6 Mo	895.85	925.00

If you are in accord with the foregoing and agree thereto, please so indicate in the space provided below and return one executed copy of this letter to the Company.

Very truly yours,

PACIFIC GAS AND ELECTRIC COMPANY

By 
Director and Chief Negotiator

The Union is in accord with the foregoing and agrees thereto.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS AFL-CIO

April 3, 1995

By 
Business Manager

PACIFIC GAS AND ELECTRIC COMPANY
SAN FRANCISCO DIVISION
LOCAL INVESTIGATING COMMITTEE REPORT
GRIEVANCE No. SFO-94-105

GRIEVANCE ISSUE:

On or about 10/1/94 Company placed S. Walker, T&D Equipment Operator on the night shift. There is no Night T&D Equipment Operator classification. Union contends that this is a permanent placement, and to establish a new classification is a mandatory subject of bargaining.

CORRECTION ASKED FOR:

Pay grievant pursuant to Titles 202 and 208 while assigned to the night shift, and enter into bargaining with the Union over this subject.

COMPANY ANSWER:

The job was filled in order to meet requirements of work directed by public authority, and discussed with the Business Representative in accordance with Section 202.16. The Company is willing to negotiate a regular night classification.

STATEMENT OF FACTS:

On December 13, a Local Investigating Committee comprised of Willie Bouzek, Shop Steward; Frank Saxsenmeier, Union Business Representative; Gene Hofacre, Director of Electric Maintenance and Operations, and Deborah Draznin, Human Resources Advisor, met to discuss the case. The summary of the facts follows:

- 1) On September 27, 1994, the Company filled a job through Title 205 for T&D Equipment Operator. The successful bidder was the grievant, and he was made aware that he would be required to work nights before he accepted the position.
- 2) Prior to filling the job, the Company informed the Union that the successful bidder would be required to work nights, due to direction of public authority.
- 3) Frank Saxsenmeier, Business Representative, stated that he informed the Company that the placement was permanent, and a mandatory subject of bargaining.
- 4) The Director of the Electric Department stated that he believed the Company offered to negotiate a new Night T&D Equipment Operator classification, and that the Union refused. Since he had no other choice due to the mandatory night work, he filled a T&D Equipment Operator job, informed the top bidder that he would be required to work the night shift, and then proceeded to place him on the night shift. The Director also stated that he remains perfectly willing to enter into negotiations over a regular Night T&D Equipment Operator classification.

COMPANY POSITION:

The Company correctly awarded an Equipment Operator position to the grievant, Steve Walker, pursuant to Title 205. The Company notified the Union it would place the successful bidder on the night shift pursuant to Section 202.16 (a), since a regular night classification had not been established at the time, and the Company needed to complete work that had been directed by public authorities. The Company also informed Mr. Walker prior to his acceptance of the bid, that he would be required to work the night shift. The Company is willing to negotiate to establish a regular Night T&D Equipment Operator classification.

UNION POSITION:

The Company used Section 202.16(a) to place the grievant on the night shift; however, the Company and Union must bargain to establish a regular Night T&D Equipment Operator classification if the grievant will be working nights on a regular basis. The grievant would then be entitled to the appropriate wage rate and any back pay that may be appropriate.

RESOLUTION:

The Committee agreed that the grievant was correctly awarded the T&D Equipment Operator job under Title 205. The Committee also agreed that the job was awarded based on a night shift schedule. The Committee will close the grievance on the basis that a Night T&D Equipment Operator classification will be established through negotiation by the parties, and that the grievant will be paid any back pay appropriate in accordance with the negotiated rate. If the parties are unable to successfully establish this classification, the grievant will be subject to the provisions and any future applications of Titles 205 and 206 under his current classification of T&D Equipment Operator.

Willie Bouzek, for the Union

Concur/Dissent

Date

Frank Saxsenmeier, For the Union

Concur/Dissent

Date

Gene Hofacre, For the Company

Concur/Dissent

Date

Deborah Draznin, For the Company

Concur/Dissent

Date