

REVIEW COMMITTEE

PG and E

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IBEW



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L.N. FOSS, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

San Francisco Division Grievance
No. D.Gr/C 2-74-17

P-RC 141

Utilization of Part-Time Non-Scheduled Employees

April 29, 1975

MR. C. A. MILLER, Chairman
San Francisco Division
Joint Grievance Committee

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned to the Division for settlement in accordance with the following:

After a thorough review of the record and subsequent data submitted to the Review Committee, the Pre-Review Committee agrees that the paramount issue in the grievance is one of whether the Division prohibited the grievants from obtaining regular status as provided for in Section 17.7 of the Clerical Labor Agreement. Inasmuch as this has been a long standing problem in several Divisions, the negotiating parties in the 1974 contract negotiations recognized this problem and agreed that in cases where it was determined that the employees were being utilized as intermittent employees and working a regular schedule, the affected employees would be entitled to regular status even though they were laid off for more than an accumulated total of 30 days in any given six-month period of time. Turning to the case at hand, the record is clear that the grievants were utilized on a regular basis and intermittently laid off for the purpose of denying them regular status. Therefore, the Pre-Review Committee agrees that the grievants are entitled to regular status providing they are still on the active payroll.

As to when the grievants became eligible to receive benefits as regular intermittent employees, the Pre-Review Committee agrees that in view of the grievance being held until the December 1974 Joint Grievance Committee meeting and then subsequently referred to the Review Committee, the grievants are entitled to adjustments, if any, effective January 1, 1975.

When a settlement is reached by the Joint Grievance Committee, the Review Committee should be sent a copy of the final disposition.

L. V. BROWN, Chairman
Review Committee

L. N. FOSS, Secretary
Review Committee

DJBergman;rto

cc: JHBlack
IWBonbright
Personnel Managers