

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
245 MARKET STREET, ROOM 444
SAN FRANCISCO, CALIFORNIA 94106
(415) 781-4211, EXTENSION 1125

L.V. BROWN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Francisco Division Grievance No. D.Gr/C 2-75-7
P-RC 206
Working Day After Thanksgiving

IBEW 

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
L.N. FOSS, SECRETARY

January 19, 1976

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


MR. FRANK A. QUADROS, Union Member
San Francisco Division
Joint Grievance Committee

The above-subject grievance has been reviewed prior to its docketing on the agenda of the Review Committee. It was determined that the Joint Statement of Facts provides an inadequate basis for discussion, much less settlement. The following information is requested:

The issue in dispute appears to be one of the Union not receiving the "criteria" used by the Division to determine their needs on the day after Thanksgiving holiday. The Company answer to the grievance indicates that the "Division informed the Union ahead of time as to the number of employees that would be required to work and the criteria used to determine this number consistent with their needs." The Joint Statement of Facts contains nothing with respect to the "criteria" issue and until that is accomplished, the Review Committee cannot make a determination as to whether a contractual violation occurred. Further, the record does not indicate that a Local Investigating Committee meeting was held. This is a mandatory requirement, pursuant to Section II of the Supplemental Grievance Procedure, dated December 15, 1975, and absent a meeting, the referral was improperly accepted and processed by the Joint Grievance Committee.

After the Joint Statement of Facts is completed and the procedural requirements adhered to, the Committee should again attempt to reach a settlement in the case. If not, the case should then be returned to the Review Committee for settlement.


L. V. BROWN, Chairman
Review Committee


L. N. FOSS, Secretary
Review Committee

DJBergman:rto

cc: JHBlack
IWBonbright
JKinder

PACIFIC GAS AND ELECTRIC COMPANY
SAN FRANCISCO DIVISION
LOCAL INVESTIGATING COMMITTEE FILE 2-75-7
GRIEVANCE NO. D.Gr./C. 2-75-7

PKC 203

2-75-93

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LL 1245 I.B.E.W.

SUBJECT OF GRIEVANCE:

Number of employees scheduled to work on the Friday following Thanksgiving Day.

JOINT STATEMENT OF FACTS:

San Francisco Division scheduled the following classifications to work the Friday following Thanksgiving Day in the Electric T&D and Transportation Hauling Group:

SAN FRANCISCO DISTRICT

Underground

- 6 Cable Splicers
- 1 Appr. Cable Splicer
- 1 T&D Equipment Operator
- 1 Manhole Pumpman
- 5 Groundmen
- 2 Asst. Foreman's Clerks

Overhead

- 2 Line Subforemen
- 5 Linemen
- 4 Apprentice Linemen
- 1 Assistant Foreman's Clerk
- 1 Street Light Maintenance Man
- 1 T&D Driver

Materials Hauling Group

- 2 Truck Drivers, Heavy

NORTHERN SAN MATEO COUNTY DISTRICT

- 1 Line Subforeman
- 3 Linemen
- 1 Apprentice Lineman
- 1 T&D Driver

All the employees scheduled to work the Friday following Thanksgiving Day volunteered to work that day.

On November 14, 1975, Union filed a grievance stating:

The Division has scheduled a number of employees to work under Section 103.4 of the Agreement. The Union disagrees as to the number of people the Division says it needs on the day after Thanksgiving. The Division has not demonstrated a need for scheduling the number of employees working that day and refuses to supply any documentation to the Union regarding this matter. The departments involved are Gas Service, Electric T&D and Transportation.

CORRECTION ASKED FOR:

That the Division supply the Union with the information that they based their decision to work the number of people they have scheduled under 103.4, namely the number of employees required in order to meet operational needs.

ANSWER OF COMPANY:

Taking into account the need for continuous rendition and availability of public utility service as covered in Title 3 of both the Physical and Clerical Agreements, San Francisco Division scheduled the minimum number of employees required to work the Friday following Thanksgiving Day, consistent with operational needs. The Union has been informed ahead of time as to how many employees will be required to work and the criteria used to determine this number consistent with operational needs.

There has been no violation of the Labor Agreement.

The grievance was discussed by the Division Joint Grievance Committee at its regular meeting on December 4, 1975, at which time no agreement could be reached. The grievance was, therefore, referred to the Review Committee.

By letter of January 19, 1976, from the Chairman and the Secretary of the Review Committee, subject grievance was returned to the Division Joint Grievance Committee with instructions for the Local Investigating Committee to hold an investigative meeting with the principals involved and again attempt to reach a settlement in the case.

At the March 4, 1976, regular meeting of the Division Joint Grievance Committee, the Chairman designated the Local Investigating Committee composed of Mr. F. A. Quadros, Union Member, Mr. R. G. Fitzsimmons, Union Member, Mr. K. H. Whalen, Company Member and Mr. G. D. Lawson, Company Member to hold an investigative meeting to discuss the facts of the case and attempt to settle the case.

The Local Investigating Committee met on March 17, 1976, and agreed to the following settlement and understanding of the case:

1. The "Day after Thanksgiving" is now one, if not the most important shopping day during the year in the Division, particularly in downtown San Francisco.
2. Experience is based on two unseasonably mild Novembers.
3. The complement for a given "Friday after Thanksgiving" may be increased at a given time based on emergency conditions and the weather forecast by Governmental Agencies immediately prior to a given Thanksgiving Day. Union to be informed ahead of time of such increase.
4. The complement for future "Friday after Thanksgiving" may be reduced based on character change such as universal recognition of a "four-day weekend" and/or change in shopping habits throughout the Division.
5. Conversely, the future complement could increase with a demonstrated need based on experience.

- 6. A Clerk will be scheduled to work the "Day after Thanksgiving" at the Shotwell complex.

San Francisco District Electric T&D

<u>Underground Sections</u>	<u>Overhead Sections</u>
4 Cable Splicers	1 Line Subforeman
1 Apprentice Cable Splicer or Cable Splicer	3 Linemen
1 T&D Equipment Operator	2 Apprentice Linemen or Lineman
1 Manhole Pumpman	1 Street Light Maintenance Man
<u>4</u> Groundman	--
11 Total	7 Total

Night Underground Section

- 2 Night Cable Splicers
- 2 Night Groundmen
- 4 Total

Northern San Mateo County District

- 1 Line Subforeman
- 3 Linemen
- 1 Apprentice Lineman or Lineman
- 5 Total

Frank A. Quadros Concur/Dissent 3-31-76
 FRANK A. QUADROS, Union Member Date

Ronald G. Fitzsimmons Concur/Dissent 4-1-76
 R. G. FITZSIMMONS, Union Member Date

K. H. Whalen Concur/Dissent 4-1-76
 K. H. WHALEN, Company Member Date

Glenn D. Lawson Concur/Dissent 3-31-76
 GLENN D. LAWSON, Company Member Date