

## REVIEW COMMITTEE

**PG and E**

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

**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  
M.A. MEDEROS, SECRETARY

**CASE CLOSED  
LOGGED AND FILED**

D.J. BERGMAN, CHAIRMAN

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Coast Valleys Division Grievance No. 18-286-78-116  
P-RC 437  
Fact Finding Committee No. 1068-79-9  
Bypass of Line Subforeman

June 23, 1980

MR. D. J. COYNE, Company Member  
Coast Valleys Division  
Local Investigating Committee

MR. C. L. WHEELER, Union Member  
Coast Valleys Division  
Local Investigating 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, pursuant to Section IB(2) of the Review Committee procedure, to the Local Investigating Committee for settlement in accordance with the following:

This grievance concerns the bypass of a Line Subforeman, Monterey, on his lateral prebid for a Line Subforeman vacancy in Paso Robles.

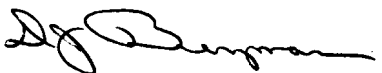
At issue in this case is the Company's right to bypass the grievant on a lateral bid while the Company considers him under "active counselling". The Committee notes that the grievant's almost ten-year history as a Line Subforeman is punctuated with letters, memos and disciplinary time-off, some of which relate to his ability to function as a Line Subforeman. The Committee further notes that the Division used Subsection 205.14(a) of the Physical Agreement to bypass the grievant.

Under normal circumstances, the Union's argument in a case like this would be that if the Company had not seen fit to demote an employee who's job performance is in serious question, then the Company is foreclosed from preventing that employee from bidding laterally to his or her same classification elsewhere. The Company believes, however, that there are times when an employee should not be allowed to bid laterally when such an employee is "under a cloud" in his/her present job and location. The Company also believes that when it would be deleterious to the employee group or operation at the location to which the bypassed employee has bid to allow such an employee to move, then the bypass is justified. In the present case, the Committee believes that such bypass would be inappropriate under the provisions of Subsection 205.14(a). For bypasses of this nature, the Committee notes that Section 205.11 would be the appropriate control section.

June 23, 1980

In any event, the Committee presently understands that the grievant's performance is satisfactory, that he has been awarded a Troubleman's job, and the Division is not honoring his bids to Line Subforeman.

On the basis of the foregoing discussion, this case is considered closed.



D. J. BERGMAN, Chairman  
Review Committee



M. A. MEDEROS, Secretary  
Review Committee

PEPettigrew(1123):ml

cc: FCMarks  
MEBadella  
LCBeanland  
IWBonbright  
LVBrown  
FCBuchholz  
RHCunningham  
NRFarley  
CAMiller  
JBStoutamore  
WKSnyder  
CPTaylor  
Division Personnel Managers