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## REVIEW COMMITTEE

**PG and E**

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L.N. FOSS, SECRETARY

D.J. BERGMAN, CHAIRMAN

☐ DECISION  
☒ LETTER DECISION  
☐ PRE-REVIEW REFERRAL

San Jose Division Grievance No. 8-320-79-18  
P-RC 473  
Proper Rate of Pay, T&D Driver

January 17, 1980

MR. F. L. NETTELL, Chairman  
San Jose 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, pursuant to Section I B(2) of the Review Committee procedure, to the Joint Grievance Committee for settlement in accordance with the following:

This grievance concerns the question of upgrade entitlement for a T&D Driver who "conducted a class" on the broad subject of line trucks and tools on a rainy day in February 1979. The correction asked for is that the grievant be upgraded to Working Foreman for two hours in question.

A review of the evidence submitted indicates that the grievant was asked by the General Foreman in December 1978 if he wished to be a rainy-day instructor. The grievant agreed and subsequently developed information through some research based on an outline provided for him by the Transportation Assistant in the Division. On February 13, 1979, the grievant presented the information he had developed to his headquarters personnel consisting of approximately 20 employees. The case indicates that the time period involved was one hour and 42 minutes. Two questions arise in the connection with this incident, that is, whether or not the grievant is entitled to an upgrade on the basis of the work he performed, and if he is, and if Section 204.3 is applicable, did he work sufficient time to qualify for such upgrade?

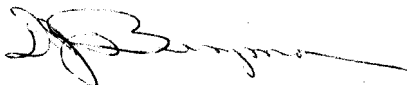
With regard to the first, it is obvious from the record that a T&D Driver could not spontaneously present the type of instruction at issue in this case. The record points out, although vaguely, that such instruction is the obligation of non-bargaining unit Transportation employees. The practice, albeit covered in the Union's position, would seem to support that argument. Overlooking, however, the extent of grievant's preparation, the Committee believes that this situation is

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not unlike those frequently encountered where employees are requested, without benefit of upgrade, to develop information on accidents or accident prevention rules and present such information to fellow employees during rainy-day sessions or other accident prevention rule meetings. The grievant in this case was not providing training in specific job responsibilities nor instructing these employees on how to be a T&D Driver. He was, however, providing information in broad areas and in a number of subjects so that his fellow employees would be better informed on the work performed by a T&D Driver.

The record is silent as to exactly what the grievant anticipated in terms of an upgrade when he "volunteered" for the tentative assignment. The Committee believes that the Working Foreman classification is not more appropriate than T&D Driver for this assignment. As such, the Committee concludes that the grievant is not entitled to an upgrade on the basis of working outside of his classification. With respect to any question of Section 204.3, therefore, that part of the issue is moot.

This case is considered closed on the basis of the foregoing, and the closure should be so noted in the minutes of your next Joint Grievance Committee meeting.



D. J. BERGMAN, Chairman  
Review Committee



L. N. FOSS, Secretary  
Review Committee

PEPettigrew(1123):rto

cc: VHLind  
IWBonbright  
LVBrown  
FCBuchholz  
JBStoutamore  
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Personnel Managers