

306.6 P
306.7 P
306.9 P
613:2 P

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
R.W. STALCUP, SECRETARY

CASE CLOSED
LOGGED AND FILED

AUG 31 1982

RECEIVED AUG 27 1982

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance Nos. 3-1040-81-144,
3-1052-82-11, 3-1058-82-17, 3-1053-82-12,
3-1054-82-13, 3-1055-82-14 & 3-1065-82-24
P-RC 758

August 26, 1982

MR. R. S. BAIN, Chairman
Joint Grievance Committee
General Construction

The above-subject grievances have been discussed by the Pre-Review Committee prior to their docketing on the agenda of the Review Committee and are being returned, pursuant to Step Five A(ii) of the grievance procedure, to the Joint Grievance Committee for settlement in accordance with the following:

Grievance No. 3-1040-81-144 alleges that the transfer of a Gas Construction Arc Welder to the Cook D classification was improper. The Union claimed that the Cook D job should have been awarded to the grievant instead of to the Arc Welder because the grievant had accelerated promotional rights to Cook D classification pursuant to Section 306.9 of the Agreement. The Company noted that the grievant was working at the Geysers at the time the Arc Welder was transferred to the Cook D job; that the Arc Welder was transferred to the Cook D job at her request on November 3, 1981; that the subject Cook D job was located at Big Bend Powerhouse; and that Big Bend and the Geysers are in two different promotion-demotion areas. Company opined that, considering the foregoing, no violation of the Agreement had occurred in this case.

Grievance No. 3-1052-82-11 alleges that an Apprentice Lineman was improperly denied the right to demote to the Painter classification. Company's position in this case was that Title 306 makes no provision for demotions across Lines of Progression in the same General Construction Department, and that, therefore, no violation of the Agreement was presented by the grievance.

The Pre-Review Committee is of the opinion that, although the Union properly can grieve the issues presented by these two grievances, the Company's position in each case is correct. Therefore, both grievances are closed without adjustment.

August 26, 1982

Grievance Nos. 3-1053-82-12, 3-1054-82-13, 3-1055-82-14 &
3-1065-82-24

The central issue in all four of these grievances concerns the Department's application of Section 306.7 of the Agreement when an employee elects layoff in lieu of transfer. Initially, the General Construction Department alleged that when an employee voluntarily elected layoff in lieu of a transfer, the provisions of 306.7 were not applicable and that no notice was, therefore, required. This issue is not new to the Review Committee; and in view of P-RC Case Nos. 211 and 212, it is the opinion of the Pre-Review Committee that the grievants are entitled to notice of layoff as provided in Section 306.7 even though the layoff was "voluntary." Further, the Pre-Review Committee is of the opinion that the issues addressed in these four cases are a proper subject for the grievance procedure.

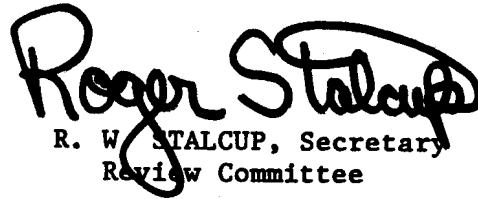
Grievance No. 3-1058-82-17 alleges that the grievant's transfer from the engine shop to the body shop at the Oakland Service Center was improper. Company's position was that no violation of the Agreement was presented by the grievance inasmuch as the work performed by the grievant in both the engine shop and in the body shop is that of the Equipment Mechanic classification. The Pre-Review Committee is of the opinion that, although the Union properly can grieve such an issue, the Company's position in this case is correct. However, the grievant's supervisor will be cautioned to not offer medical opinions in the future. The grievance is closed on this basis without further adjustment.

Grievance No. 3-1067-82-26 concerns the bumping rights of employees classified as MEOA's. In view of the fact that this issue is currently being discussed in P-RC case No. 704, the Pre-Review Committee agrees to remove this grievance from P-RC File No. 758 and docket it in P-RC Case No. 704.

These cases are settled on the basis of the foregoing and the adjustments provided herein, and the closure so noted in the minutes of your next Joint Grievance Committee meeting.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

DJB:ml

cc: GSBates	DAOkabayashi
LCBeanland	TCPhebus
IWBonbright	WKSnyder
FCBuchholz	JBStoutamore
GLClerk	CPTaylor
RHCunningham	CEWelte
NRFarley	Division Personnel Managers
DKLee	