

**REVIEW COMMITTEE**212.1 P  
208.23 P**PG and E****IBEW** 

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

**CASE CLOSED** MAY 19 1983  
**LOGGED AND FILED**  
**RECEIVED MAY 19 1983**

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

D.J. BERGMAN, CHAIRMAN

- ☐ DECISION  
☐ LETTER DECISION  
☐ PRE-REVIEW REFERRAL

San Jose Division Grievance No. 8-698-82-65  
P-RC 815

MR. D. J. COYNE, Company Member  
San Jose Division  
Local Investigating Committee

MR. R. L. THOMSON, Union Member  
San Jose 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 Step Five A(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case concerns the appropriateness of removing an employee's name from consideration for emergency callouts to preclude violation of Section 208.23. Two Troublemens were removed from the 212 emergency call-out list, each for two days, on different dates.

Facts of the Case

In the Santa Cruz Electric T&D Department, emergency callouts for Troublemens are made on the basis of rotating schedules. The Troubleman on Schedule 1 is entitled to first callout; the Troubleman on Schedule 2 is entitled to second callout; this sequence is followed for the seven schedules. In order to avoid working employees in excess of 21 consecutive days, a practice was developed called "pinning" whereby a Troubleman would not be called out on his non-workdays if the possibility existed that, by calling him out, he would reach 21 consecutive days of work during his basic workweek and then be entitled to the next two workdays off with pay.

In the instant case, one grievant was removed from the call-out list for the weekend of April 3 and 4, 1982 after having worked 17 consecutive days. The second grievant was removed for the weekend of April 17 and 18, 1982 after working 18 consecutive days.

The first grievant was No. 4 for callout on April 3, 1982 and No. 7 on April 4, 1982. On April 3, 1982, all six of the other Troublemens worked some emergency overtime. On April 4, 1982, only one Troubleman (the No. 2 man) worked emergency overtime. (The Joint Statement of Facts from the Local Investigating Committee does not explain why the No. 1 Troubleman did not work on April 4, 1982.)

May 18, 1983

The second grievant was No. 4 for callout on April 17, 1982 and No. 7 on April 18, 1982. On April 17, 1982, the No. 2 Troubleman was called out for a few hours of overtime. (The Joint Statement of Facts from the Local Investigating Committee does not explain why the No. 1 Troubleman did not work on April 17, 1982.) On April 18, 1982, no overtime was worked.


#### Discussion

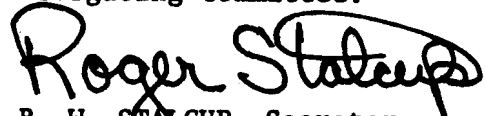
The Committee noted that what is at issue in this grievance was the subject of Review Committee File No. 1508 and many other grievances which were combined together in Review Committee File No. 1484. These grievances were resolved when the Clarification of Section 208.23 was revised.

#### Decision

In reviewing this case, the Pre-Review Committee determined that only on April 3, 1982 is there a legitimate question of bypass for emergency overtime. However, the grievance was filed on May 4, 1982 and is, therefore, not timely pursuant to Section 102.3(a)(2) of the Physical Agreement.

There was no bypass on April 4, 17 and 18, 1982; therefore, there is no violation of the Agreement. This case is considered closed without adjustment, and such closure should be so noted by the Local Investigating Committee.

  
D. J. BERGMAN, Chairman  
Review Committee

  
R. W. STALCUP, Secretary  
Review Committee

MAShort(1123):ml