

REVIEW COMMITTEE**PG and E****IBEW** 

PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
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(415) 933-6060
R.W. STALCUP, SECRETARY

CASE CLOSED OCT 7 1983
LOGGED AND FILED

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Francisco Division Grievance No. 2-808-82-108
P-RC 828

September 15, 1983

MR. K. H. ANDERSON, Company Member
San Francisco Division
Local Investigating Committee

MR. F. A. SAXSENMEIER, Union Member
San Francisco 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(i) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Facts of the Case

At approximately 9:15 p.m. on October 29, 1982, the San Francisco District Service Foreman received a call from the Pacifica Service Foreman indicating the possible need for help from San Francisco District to assist in shutting down customers' services in connection with a severed gas main. At 9:30 p.m. that same evening, one of the San Francisco District Gas Servicemen who had worked the 1:00 p.m. - 9:00 p.m. shift earlier that evening, returned to the Company premises to get some personal belongings. The Service Foreman requested the employee to "stand-by" since he might be needed in the Pacifica area to work in conjunction with the main break. The supervisor held the employee on "stand-by" because the severe emergency involved blowing gas. Then at approximately 9:50 p.m., the Serviceman who was told to "stand-by" and two other Gas Servicemen working the 4:00 p.m. to 12 midnight shift were sent to Pacifica to assist in shutting off customers' services. Full service was restored to all customers by the following afternoon. The grievant resided approximately 15 minutes from the headquarters.

Discussion

The Union argued that the Company circumvented the call-out procedure in not utilizing the Title 212 list and, therefore, bypassed the No. 1 employee on that list. The primary subject for discussion in this case was determining whether or not it was impractical to utilize the Title 212 call-out list to obtain the necessary employee, or whether it was appropriate to utilize an employee who happened to stop by during his non-work hours. In discussing "practicality," the Committee reviewed P-RC 779 which contains one of the definitions of "practicality," i.e., the speed with which service can be restored by using one particular employee in lieu of another. However, the Committee agreed that the circumstances addressed in P-RC 779 deal with the assignment of "emergency" work to

a crew that had worked an extension of the workday job, which had been completed prior to the time the emergency circumstance occurred, and were immediately available to respond to the site where the emergency existed. However, the Committee recognizes that the circumstances in P-RC 779 were not the same as those at issue in this case.

The Committee then discussed the "emergency" in Pacifica. The Union opined that the emergency was in shutting off the gas to the main which was severed and that this work was being performed by Pacifica Gas T&D crews. After the gas was off, the Servicemen could go to the area and begin shutting off individual residential services.


The Committee went on to discuss the Union's concern of the potential for circumventing the Title 212 procedures if the Company were to utilize employees for emergency duty who are "hanging around" the headquarters as opposed to using employees on the Title 212 call-out list. The Committee agreed that it would be inappropriate to utilize employees "hanging around" for the purpose of circumventing the Title 212 call-out procedures. However, the Committee also agreed that there may be situations, such as, cases involving immediate hazard to life and property or under certain circumstances involving extension of the workday crew, to be determined on an individual basis which would make it impractical to utilize the Title 212 call-out list if there are employees readily available.

Decision


Based on the facts of this case, the Committee determined that it was not impractical to utilize the Title 212 call-out list.

Therefore, in accordance with Subsection 212.11(b), the grievant who was bypassed should be paid at the double time rate of pay for the actual time worked by the Serviceman who was dispatched from the San Francisco Service Center.

This case is considered closed on the basis of the foregoing and the adjustment provided herein, and the closure should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



R. W. STALCUP, Secretary
Review Committee

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