

202 Hours Classification

208.18

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

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

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

CASE CLOSED
LOGGED AND FILED

RECEIVED JUN 12 1985

San Francisco Division Grievance No. 2-940-84-40
P-RC 971

JUN 13 1985

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

June 12, 1985

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

MR. J. VALENTINO, 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(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Facts of the Case

On December 28, 1983, the Company and Union, at the local level, entered into an agreement to establish San Francisco District Servicemen schedules and guidelines for the shifts. This schedule allowed Servicemen at the headquarters to "bid" the schedule of their preference, on the basis of headquarters seniority. The schedule is a combination of 79 static shifts and 13 rotating shifts, and includes Sunday-Thursday, Monday-Friday, and Tuesday-Saturday workweeks. The schedule provides for around-the-clock coverage, 24 hours per day, 7 days per week.

Following the implementation of the agreement, the Union grieved the Company's method of filling temporary vacancies, claiming that Servicemen on a Monday through Friday static day shift were required to fill other vacant shifts, both static and rotating, without regard to service. Union argued that the senior Serviceman should be allowed to "bump" other employees with less service when a shift change is made pursuant to Section 208.18 of the Physical Agreement.

Discussion

In total, 42 of the shifts are for a static Monday-Friday, 8:00 a.m. - 4:30 p.m. schedule. The remaining 50 shifts have different days and/or hours. When these shifts were filled in accordance with the December 28, 1983 agreement, the senior Serviceman at the headquarters "bid" the shift he wished work. Each shift was identified by a corresponding number. The Monday-Friday static 8:00 a.m. - 4:30 p.m. shifts were numbered 2 to 44. Upon completion of the "bidding" each Serviceman then had a permanent regular schedule. As understood by the Servicemen at the time the "bidding" took place, once they occupied a shift, they would not be subject to temporary changes of schedule. It was unclear how they reached this understanding.

When temporary vacancies occurred in schedules 2-44, Company did not fill them. However, when a temporary vacancy occurred on one of the remaining 50 shifts and Company decided to fill the vacancy, the least senior Serviceman in a static Monday-Friday, 8:00 a.m. - 4:30 p.m. schedule (the Serviceman occupying schedule #44) was reassigned to the vacant shift, pursuant to Section 208.18 of the Physical Agreement. When multiple vacancies were to be filled, other Serviceman in the Monday-Friday static shift were reassigned, in the reverse order of their position on the schedule (#43, then #42, etc.).

The Pre-Review Committee noted that the local letter agreement states, in part:

"Filling Temporary Vacant Shifts"

"It is the intent of these guidelines to follow all applicable Labor Agreement Sections involving the usage of Reserve Gas Servicemen for filling temporary vacant shifts."

The Committee was informed that Reserve Gas Servicemen were being fully utilized for filling vacancies prior to the transfer of a Serviceman to a temporarily vacant schedule. However, when Servicemen were utilized, no consideration was given to service. As a result, sometimes a more senior Serviceman could be assigned to the least desirable schedule (such as Sunday-Thursday, 4:00 p.m. - 12:00 p.m.) while another, less senior Serviceman who was similarly reassigned could be filling a more desirable schedule (such as Tuesday-Saturday, 8:00 a.m. - 4:30 p.m.).

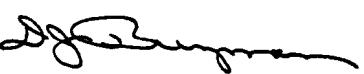
The Committee reviewed the language of Section 208.18 of the Physical Agreement and Title 202 Hours Clarification and noted that they are silent on how the Company selects employees to fill temporarily vacant schedules. Section 208.18 and Paragraph II B of the Hours Clarification spell out the pay provisions for employees who are temporarily transferred from one regularly established shift or schedule to another. When filling vacancies on a temporary basis, Company has the right to make assignments in the least disruptive manner giving consideration to practicality issues.

The Committee agreed that the grievance was originally filed based upon a miscommunication to the Servicemen as to how temporarily vacated shifts were going to be filled. The Committee also noted that, subsequent to the referral of this grievance to the Pre-Review Committee, the parties executed a new local agreement on November 29, 1984 which resulted in the "rebidding" of all schedules.

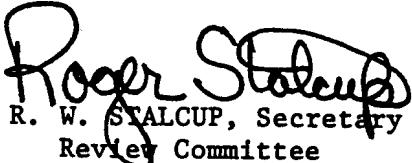
Decision

Inasmuch as the Agreement is silent with regard to the order in which temporary reassessments to a different, regularly established shift take place, the Committee agrees that there is no violation of the Agreement. As previously noted, the Committee recognizes that Company has the right to make assignments in the least disruptive manner, giving consideration to practicality issues. With this thought in mind, the Pre-Review Committee recommends that, in those instances, where multiple schedule vacancies that must be temporarily filled utilizing Servicemen are known sufficiently in advance, the senior employee be allowed to select the schedule he prefers to fill.

This case is closed without adjustment. Its closure should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



Roger Stalcup

R. W. STALCUP, Secretary
Review Committee

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