

REVIEW COMMITTEE**PG and E**

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

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

East Bay Region Grievance No. 1-2565-87-2
P-RC 1220

June 7, 1988

COLLINS ARENGO, Company Member
East Bay Region
Local Investigating Committee

JOE VALENTINO, Union Member
East Bay Region
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:

Subject of the Grievance

This case concerns the availability of an employee to work emergency overtime following an earlier "no response."

Facts of the Case

At approximately 7:00 p.m., on Monday, December 22, 1986, the on-call supervisor began assembling a crew to respond to a trouble call. The No. 1 Lineman on the Title 212 list was called but was not at home. The on-call supervisor was told that the Lineman was bowling and was given the number of the bowling alley. The bowling alley was called, but the Lineman did not respond to the page. The supervisor then received additional information on the job which indicated that a Cable Splicer may be needed, and an employee in that classification was called and responded. While proceeding to the job site, the supervisor stopped at the bowling alley and was told the No. 1 Lineman bowled at a different alley. The supervisor found the Lineman at the second alley and asked him to work because he was holding a clearance on the line that was to be worked on and because he was No. 1 on the Title 212 list.

Discussion

Union argued that the grievant, who was the No. 2 Lineman on the Title 212 list, was inappropriately bypassed because the No. 1 Lineman should have been considered unavailable following his failure to respond at 7:00 p.m. and could not be called again or worked unless the 212 list had been exhausted.

Company opined that Section 212.3 states that "Company is only required to make an attempt to contact by telephone an employee during an emergency period and such employee will be charged only one refusal." (emphasis added) Therefore, Company is not precluded from making more than "an attempt" to

IBEW 

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R.W. STALCUP, SECRETARY

JUN 13 1988
**CASE CLOSED
LOGGED AND FILED**
RECEIVED JUN 10 1988

June 7, 1988

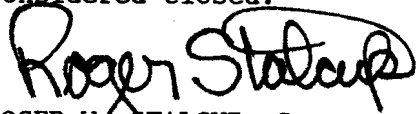
contact an employee. Company noted that it is unusual for a supervisor to seek out an employee, but the reason in this case was apparently due to that employee holding a clearance.

Decision

The Committee agreed that the intent of Title 212 is to utilize employees who have made themselves readily available to respond to callouts. In this case, the No. 1 Lineman was not available and should have been charged with a refusal in accordance with Section 212.3 and not "called out" again when finally contacted by the supervisor at the bowling alley. Since the No. 1 Lineman was used to work and there was no demonstration that it was impractical to use the grievant, he was improperly bypassed and is entitled to be paid in accordance with Subsection 212.11(b).

On the foregoing basis, this case is considered closed.


DAVID J. BERGMAN, Chairman
Review Committee


ROGER W. STALCUP, Secretary
Review Committee

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