



# REVIEW COMMITTEE

306.1 - Improper layoff  
of GC Clerical  
Assistant

## IBEW



PACIFIC GAS AND ELECTRIC COMPANY  
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INTERNATIONAL BROTHERHOOD OF  
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

General Construction Grievance No. 3-1962-89-67  
P-RC 1391

April 12, 1990

MAY 11 1990

**CASE CLOSED  
LOGGED AND FILED**

BYRON TOMLINSON, Company Member  
General Construction  
Joint Grievance Committee

BARRY HUMPHREY, Chairman  
General Construction  
Joint Grievance Committee

### Subject of the Grievance

This case concerns the alleged inappropriate layoff of a Clerical Assistant.

### Facts of the Case

The grievant was a Clerical Assistant at Diablo Canyon Power Plant. She was laid off for lack of work on May 19, 1989.

Prior to her layoff per the provisions of Arb. 142, she had put in transfer requests to the Routine Field Clerk classification in Line, Station, Gas, Fleet and Human Resources Departments.

### Discussion

Company stated that the grievant's request for transfer was treated as a request. It was given consideration; just like other similar requests and if appropriate, the grievant would be placed in a Routine Field Clerk position. In the instant case, the Company elected to fill a vacant Routine Field Clerk with an ex-employee.

Union stated that Arb. 142 is very clear on the Company's obligation to "consider" the Clerical Assistant for transfer to the Routine Field Clerk position.

Clerical Assistants shall be considered for promotion under the provisions of Section 305.5 for promotion to Routine Field Clerk on the basis of service once such Clerical Assistant has submitted a written request to the appropriate General Construction Manager.


April 12, 1990

Decision

Committee, after reviewing Arb. 142 bargaining notes, concluded that "consideration" means consideration as used in Contract Section 305.5 and, therefore, as the grievant did have a transfer request on file, she should have been offered the position in San Jose that was filled on April 24, 1989 as a Routine Field Clerk.

Committee directs the case to be returned to the Local Investigating Committee for settlement. The grievant should be offered the position of Routine Field Clerk in Line/Paint in San Jose. If she declines, no salary adjustment is to be paid. If she accepts, she shall receive back wages to April 24, 1989 less outside earnings. Service shall be bridged as well.

Based on the foregoing, this case is closed and such closure should be noted in the Joint Grievance Committee minutes.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

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