



REVIEW COMMITTEE

613.1 -GC Fld Classifications
2.1 -Recognition

Dispute over whether work performed by an agency empl was bu work -agreed it is.



PACIFIC GAS AND ELECTRIC COMPANY
215 MARKET STREET, ROOM 916
SAN FRANCISCO, CALIFORNIA 94106
(415) 973-1125

NOV - 5 1991

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

**CASE CLOSED
LOGGED AND FILED**

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

RECEIVED OCT 25 1991

ENCON Grievance No. 3-1968-89-73
P-RC 1443

October 15, 1991

BYRON TOMLINSON
ENCON
Joint Grievance Committee

BARRY HUMPHREY, Chairman
ENCON
Joint Grievance Committee

Subject of the Grievance:

Agency employee performing bargaining unit work.

Facts of the Case:

The Agency employee was hired through the Pullman Power Agency contract as a Technical Assistant III. This Agency employee was responsible for assembling and tracking work packages for the Instrumentation and Calibration group. In May of 1991, a subcommittee reviewed this Agency employee's work and it was determined that the majority of the work is clerical; initiation and completion of forms by the use of a computer and the assembling of work packages.

She does not make any decisions on what goes into the work package. She requests cost and scheduling information as well as clearance information to be included in the work package. She is also responsible for gathering signatures and making distribution of the work packages. She is in the process of learning how to take and to become certified for clearances.

Discussion:

The Union argued that the duties outlined are primarily clerical in nature and, therefore, the Company had denied rehire rights to a Clerical Assistant that had been laid off. The Company used the Agency employee instead of filling the vacancy with a Clerical Assistant. Company, after further review, agreed that the duties listed could have been performed by a Clerical Assistant.

Decision:

Based on the discussion, one position could have been filled by a Clerical Assistant effective May 1, 1989. The laid off Clerical Assistant who accepts the position shall be entitled to pay less outside earnings for the period and an adjusted 306.14 date.

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



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W STALCUP, Secretary
Review Committee

JAMoffat(223-5665):nj