



REVIEW COMMITTEE

212.3 -EOT callout of empl's
from a second HQ.

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
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AUG 30 1991

**CASE CLOSED
LOGGED AND FILED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

RECEIVED AUG 28 1991

Vallejo-Napa Division Grievance No. RW-VN-4-68-90-22-9
P-RC 1481

August 27, 1991

CYNTHIA BOZMAN, Company Member
Vallejo-Napa Division
Local Investigating Committee

LARRY PIERCE, Union Member
Vallejo-Napa Division
Local Investigating Committee

Subject of the Grievance:

This case concerns an alleged, Title 212, emergency call-out bypass.

Facts of the Case:

On Saturday, February 17, 1990, the Napa on-call supervisor received a request for a four person crew with four-wheel drive equipment for an assignment in Grass Valley, Sierra Division. The supervisor used the Napa 212 list but was only able to get three volunteers. He then called the #2 man on the Silverado 212 list. The supervisor couldn't recall why he didn't call the grievant but thought it might have been because the grievant had been on a Floating Holiday on Friday.

The supervisor did call the grievant for a subsequent emergency on Monday, February 19, 1990 (Washington's Birthday), at 3:10 p.m. The supervisor left a message with the grievant's wife to have him call in; he didn't.

The grievant reported to work as scheduled on Tuesday, February 20, 1990. At the end of the day, he was assigned to Grass Valley. He continued to work there until Friday, February 23, 1990.

Discussion:

The Committee discussed this case at length on several occasions and reviewed several Pre-Review Committee and Review Committee decisions. Company stated its position that Title 212 provides for the orderly call-out of volunteers to perform emergency work. That Title 212 applies on a per headquarters basis. Once a headquarters exhausts its 212 sign-up list for the needed classifications, Company has complied with its contractual obligations. Company may then fill its remaining staffing requirements at its discretion. Company noted that many such grievances have been settled as no violation; no adjustment.

August 27, 1991

The Union argued that when the Company seeks volunteers from a second headquarters, its Title 212 obligation follows to that headquarters. The Union cited P-RC 1105 in support of its position.

Company stated that P-RC 1105 had limited application obligating Company to use the 212 list at additional headquarters prior to calling-out contract crews in storm situations. Company further noted that the decision in P-RC 1105 had its basis in the procedure outlined in T&D Bulletin 0-1 Rev. No. 6 and Title 2, Recognition, not Title 212 of the Agreement.

The Union opined that the intent of Title 212 was to have employees volunteer through sign-up and make a commitment to be readily available for emergency duty.

Company in turn would utilize those employees for emergency assignments. Union opined that it is disadvantageous to all not to utilize volunteers in the proper sequence.

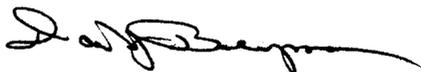
The parties agreed that this issue of following the 212 call-out procedures at second (or more) headquarters is not new to the grievance procedure. The parties also agreed there was no precedential grievance settling this specific issue. Finally, the parties agreed that Title 212 has been in effect since 1974 and it is time to resolve this issue.

Decision:

When employees are needed from a headquarters to assist in the service territory of another headquarters, the 212 procedures will be followed if the employees must first report to their own headquarters for any reason. If employees are called out to report directly to their temporary headquarters, Company may call out employees at its discretion. However, the Pre-Review Committee recommends that the second headquarters utilize the 212 list unless there is a compelling reason not to do so (such as where the employee from the second headquarters resides in the service area of the headquarters where the emergency overtime situation exists).

The Pre-Review Committee agreed to an equity payment in this case of one-half the liability from the call-out on February 17, 1990 for which he was bypassed until he was called on February 19, 1990 at 3:10 p.m.

This case is considered closed on the basis of the foregoing and the adjustment contained herein. This decision does not supercede or set aside Pre-Review Committee 1105. Such closure should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

MAShort(223-1123):nj