



PACIFIC GAS AND ELECTRIC COMPANY
 201 MISSION STREET, 1513A
 SAN FRANCISCO, CALIFORNIA 94105
 (415) 973-1125

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

REVIEW COMMITTEE

MAY - 6 1992

**CASE CLOSED
 LOGGED AND FILED**

RECEIVED APR 29 1992

General Construction Grievance No. 3-2223-91-48
 P-RC 1555

2.1 -Recognition
 305.4 -Temp upgrade
 Co violated Agmt by using
 contract backhoe & oper when Co ho
 available; Sr empl to be pd temp
 /upgrade

IBEW



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

April 16, 1992

KEN LEWIS, Company Member
 General Construction
 Joint Grievance Committee

BARRY HUMPHREY, Union Member
 General Construction
 Joint Grievance Committee

Subject of the Grievance:

The Company allegedly used a contract backhoe while Company equipment sat idle.

Facts of the Case:

The Company used a contract backhoe and operator from April 8, 1991 through April 24, 1991. The Area Foreman stated that Company backhoe may have been idle for up to six days during the period the contractor worked.

Discussion:

The Company argued that the contractor was working before the equipment became idle; that the idle backhoe was in the process of being shipped to a new headquarters where the operator was transferred.

The Union argued that the senior qualified employee should have been upgraded to operate the idle backhoe and that the contractor was not necessary during the time the backhoe sat idle.

Decision:

Company agreed based on the facts in this case to pay the senior qualified employee in the promotion/demotion area five days of upgrade to Backhoe Operator. This case is closed without prejudice to the parties.


 DAVID J. BERGMAN, Chairman
 Review Committee


 ROGER W. STALCUP, Secretary
 Review Committee