



# REVIEW COMMITTEE

# IBEW



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PACIFIC GAS AND ELECTRIC COMPANY  
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P.O. BOX 770000  
SAN FRANCISCO, CALIFORNIA 94177  
(415) 973-8510

CASE CLOSED  
FILED & LOGGED

OCT 19 1994

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(510) 933-6060  
R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

North Valley Division Grievance No. CHI-93-28<sup>8</sup>  
P-RC 1739 *lm*

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Sue Ampi, Company Member  
Local Investigating Committee  
North Valley Division

Mickey Harrington, Union Member  
Local Investigating Committee  
North Valley Division

Grievance Issue:

This case questions whether the Company is obligated to rehire a laid off bargaining unit employee under the provisions of Section 19.13 of the Clerical Agreement in lieu of using an agency employee under Section 24.2.

Facts of the Case:

The grievant is a Utility Clerk-Typist at the Chico headquarters who was hired as a temporary additional employee on October 23, 1991. The grievant was laid off due to lack of work on January 4, 1993.

On September 7, 1993, the Chico Support Services Department hired an agency employee to perform Utility Clerk duties. On October 4, 1993, a second agency employee was hired to perform Utility Clerk-Typist duties. Both agency employees were released in early 1994.

Both agency employees were hired behind regular Utility Clerks at the headquarters who were on upgrade to Operating Clerk positions. Both Operating Clerk vacancies were caused by the incumbents' upgrade to Sr. Operating Clerk behind employees who accepted VRI.

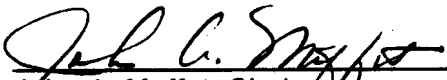
In October 1993 and February 1994, both Operating Clerk positions became vacant on a regular basis and were filled by two Utility Clerk-Typists in the Chico headquarters. The Utility Clerk positions were subsequently filled under the provisions of Title 19 in April and August 1994.

Discussion:

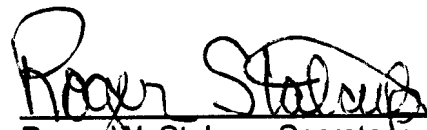
The Pre-Review Committee noted that the Company's use of agency employees was limited to the temporary relief of two Utility Clerks who were on upgrade to Operating Clerk positions. When the Utility Clerk positions became vacant due to the incumbents' job awards to Operating Clerks, the positions were filled under the provisions of Title 19.

Decision:

The Pre-Review Committee determined that since the agency employees were not filling regular vacancies there were no obligations to offer these temporary positions to employees in the re-employment pool. This case is closed without adjustment and should be so noted by the Local Investigating Committee.

  
\_\_\_\_\_  
John A. Moffat, Chairman  
Review Committee

10/19/94  
Date

  
\_\_\_\_\_  
Roger W. Stalcup, Secretary  
Review Committee

10/19/94  
Date

SARayburn(583-4281):mh