



REVIEW COMMITTEE

IBEW



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**CASE CLOSED
FILED & LOGGED**

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

MARGARET A. SHORT, CHAIRMAN

**CES Grievance No. 46-130-89-46
Fact Finding File No. 4653-89-248
Pre-Review Committee Case No. 1772**

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

JOE CERRUTI
Company Member
Local Investigating Committee

DEBBIE MAZZANTI
Union Member
Local Investigating Committee

Subject

Union alleges that bargaining unit work is being performed by a monthly exempt employee in the Financial and Accounting Services Section of Customer Accounting.

Facts of the Case

The ST-33 system is a general purpose mini-computer which was used to process magnetic demand tapes. At the time of this grievance, the ST-33 was being tested for use in retrieving load data over phone lines. Part of the testing included programming, troubleshooting and maintaining the data base. The supervisor testified that a number of alternatives were being evaluated; one alternative being that the ST-33 system may be eliminated and another is that the system would be expanded. Exempt employees were utilized to test, troubleshoot and maintain the system. Bargaining unit employees had maintained the database on the magnetic demand tape system.

Discussion

The committee agreed that given the age of this case it is likely that the work in dispute has significantly changed or may no longer exist. In general, the committee agreed that work associated with system development, system analysis or system testing would likely be exempt work and that day-to-day production or processing would likely be bargaining unit work. The committee also agreed that consistent with other settlements, work that is within the jurisdiction of the union will remain within that jurisdiction even though technology may have changed the way that work is performed.

DECISION

The committee agreed to refer this case back to the local investigating committee to review the current work, using the general direction provided above, and make appropriate adjustment in work assignments. If the Local Investigating Committee is unable to resolve this grievance, it should prepare a new joint statement of facts and refer the case directly to the Pre-Review Committee.

On that basis, this grievance is considered closed.

Margaret A. Short

Margaret A. Short, Chairman
Review Committee

10/24/96

Date

Roger W. Stalcup

Roger W. Stalcup, Secretary
Review Committee

10/24/96

Date

Clerical - identifies what
2.1 work related to
24.2 magnetic demand
tapes s/b performed by bu
empl.