



REVIEW COMMITTEE

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**CASE CLOSED
FILED & LOGGED**

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

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

San Joaquin Grievance No. BAK-94-25
Fact Finding Committee No. 5719-94-168
Pre-Review Committee File No. 1895

JEFF NEELEY
Company Member
Local Investigating Committee

RON VAN DYKE
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the whether or not the Company improperly declined to fill the Materials Facility Subforeman position at the Bakersfield Service Center.

Facts of the Case

Prior to November, 1993 there was a Materials Facility Subforeman, a Leadman Driver, and a Materials Handler at this location. The Subforeman retired effective November 1, 1993 and his vacancy was not filled. Sometime later, the Materials Handler was temporarily upgraded to Material Leadperson. He continues on that upgrade currently. Because he has a valid Class A Drivers' License, he relieves for the Lead Driver. The Bakersfield location currently reports into the Fresno materials operation.

Discussion

The Pre-Review Committee reviewed the Job Definitions and Lines of Progression, Exhibit VI-A, Section 600.2 for Materials Facility Leader (Subforeman), Materials Facilityperson (Facilityman), Materials Leadperson, Lead Driver, and Material Handler. Also reviewed were the Definitions of Material Distribution Center, Materials Facility, and Materials Service Point.

Taking the facilities definitions first, Bakersfield is not a Service Point because it is manned; it is not a Materials Distribution Center as it is not a "large Materials facility which serves one entire Division or multiple Divisions." The committee concluded that Bakersfield under current definitions is a Materials Facility, although it is not a full-service Facility as it does not perform shipping and receiving.


Both the Materials Facility Leader and a Materials Facilityperson are lead positions who can be "in charge of a Materials Facility or a shift at a Distribution Center". The difference between them is the number of people under their direction: for a Leader it is three or more including the Leader; for a Facilityperson it is one or two including the Facilityperson. A Materials Leadperson can only be responsible for one or more functions at a Materials Facility and must report to either a Facility Leader or a nonbargaining unit materials supervisor. At one point, the employees in Bakersfield were reporting to the Director of Maintenance and Operations, who did not have experience in Materials Department operations. It was agreed that the Director of M&O does not meet the intent of the definition to report to a materials supervisor, and further that a Materials Leadperson and the Lead Driver would not be appropriate staffing consistent with the Job Definitions and Lines of Progression.

The definition of the Lead Driver allows that classification to direct and perform any of the materials functions but subordinate to a Facility Leader or nonbargaining unit materials supervisor. The Materials Handler is subordinate to the "employee in charge" of a Materials Facility or Distribution Center. "Employee in Charge" is defined as a Materials Facility Leader, Materials Facilityperson, Materials Leadperson, or Lead Driver, however, as noted in the above paragraph, the Lead Driver must be subordinate to a Leader, Facilityperson, or exempt materials supervisor.

Decision

Based on all of the above, the Pre-Review Committee is in agreement that the Bakersfield Materials Facility is not appropriately staffed. If the operation is to continue with two employees and the Lead Driver is to remain, the second classification must be a Materials Facilityperson and filled in accordance with Note 3 of the Materials Facility Leader job definition.

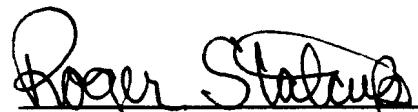
This case is closed.



 Margaret A. Short, Chairman
 Review Committee

3/1/96

 Date



 Roger W. Stalcup, Secretary
 Review Committee

3/1/96

 Date