



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
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R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

**Kern Division Grievance No. BAK-94-58
Fact Finding Committee No. 6067-95-84
Pre-Review Committee File No. 2000**

JEFF NEELEY
Company Member
Local Investigating Committee

CHUCK DAVIS
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the remodeling of the kitchen facilities at the Topock Compressor Station. The work was performed by SMD Construction, a contractor. The issue is whether the work was appropriately contracted.

Facts of the Case

The remodeling occurred between September 5, 1994 and November 24, 1994. It involved plumbing; a new sink; sheet rock; cabinetry; erection of a wall; new doorways; appliance installation; painting, papering and texturing of walls; and flooring. The electrical work was performed by Title 200 employees in conjunction with another electrical project at the Station.

Discussion

Union alleged this was work that should have been assigned to Building Maintenance classifications, specifically some of the duties fall within the definition of a Maintenance Worker. However, since that classification does not exist at Topock and it is next lower to Transmission Mechanic, the work should have been assigned to Transmission Mechanics.

Company responded that the Transmission Mechanics are not necessarily skilled to perform the work required by the remodeling project. The project had been offered to General Construction who declined.

The Pre-Review Committee reviewed Letter Agreement 94-32, specifically, the job redefinition of Maintenance Worker (1160) and agreed that some of the work is covered by this job definition. The PRC also reviewed Letter Agreement 95-76, Miscellaneous Job Definitions to Include the Following, Item 4 which states:

"All classifications will be required to perform job duties below their classification for which they are qualified. Pay will remain at current pay rate."

Since some of the work is work normally performed by the bargaining unit, the issue of 88-104 numbers is relevant. The LIC report does not give any information regarding staffing numbers in this location or systemwide. However, Letter Agreement 95-76 which is now in effect modifies the contracting provisions for Gas Supply.

In the future, if there is need for this type of work, an assessment should be made of the skills of the existing Transmission Mechanics to determine their ability and availability to perform the needed work.

Also, PRC 1913, a similar case which was incorporated into the Arbitration 199 settlement, indicates that if there are no qualified or insufficient qualified employees to do the work, then General Construction should be considered prior to contracting. The record indicates GC was asked but declined.

DECISION

Based on the foregoing understandings, this case is considered closed without adjustment.

Margaret A. Short

Margaret A. Short, Chairman
Review Committee

8/15/96

Date

Roger W. Stalcup

Roger W. Stalcup, Secretary
Review Committee

8/15/96

Date