



REVIEW COMMITTEE

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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

North Valley Grievances CHI-96-7, 18, & 19
Fact Finding File No. 6417-96-128
Pre-Review Committee File No. 2095

Grievance Issue

These cases concern work jurisdiction disputes between Title 300 Hydro Construction and Title 300 Grid Maintenance employees.

Facts of the cases

The work in dispute involves the installation of a transformer and new bus work at Colgate Powerhouse, modification of three breakers inside the Caribou Powerhouse switchyard, and replacement of a breaker inside the Cresta Powerhouse switchyard. In all three cases, the work was performed by Title 300 Hydro Construction employees. The Title 300 Grid Maintenance employees grieved, believing they had exclusive jurisdiction to such work.

Discussion

The basis of these disputes stems back to the 1988 reorganization of General Construction. At that time, the Company unilaterally reorganized, dividing electrical and mechanical employees from the contractually established department and line of progression of Station, Substation, and Hydro Construction into two groups; Hydro Engineering and Construction, and Station. Then in a 1993 internal reorganization of the Company, Hydro Engineering and Construction was eliminated with these employees becoming part of Hydro Construction. At the same time, most Station employees became part of Grid Maintenance. The balance were attached to Steam Department. With this second change in the internal organization of the Company, the former work group (GC Station, Substation and Hydro Department) was organized under three distinct lines of business. None of these reorganizations, however, modified the Agreement between Company and Union.

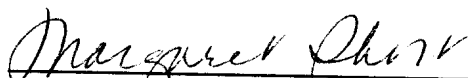
The Pre-Review Committee noted that the changes which occurred in 1988 and 1993 were not negotiated changes. Prior to 1988 and continuing today, the Title 300 employees in Hydro Construction and Grid Maintenance are part of the same contractual department; Station, Substation and Hydro Construction. As such, there is no contractual distinction between employees in Title 300 Hydro Construction and employees in Title 300 Grid Maintenance, the two work groups at issue in this case.

The parties have long agreed that the Company has the right to determine the structure of its organization. Generally speaking, there is no violation when the Company assigns particular work exclusively to one group in the organization. As such, the Company's decision to draw a line between what work Title 300 Grid Maintenance will perform and what work Title 300 Hydro Construction will perform is not a violation of the agreement.

The Company has the flexibility in assigning work to employees in either Hydro Construction or Grid Maintenance because the employees are in the same contractual department. Similarly, in applying the provisions of the labor agreement, these employees are considered as being in the same contractual department. Therefore, when it comes to issues such as bidding (Title 305), demotion (Title 306), or expenses (Title 301), there is no distinction between an Electrician in Hydro Construction and an Electrician in Grid Maintenance. Any change to this would need to occur through bargaining.

Decision:

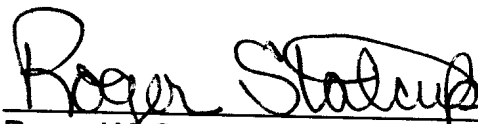
Given that Station, Substation and Hydro are a single Department and Line of Progression within the collective bargaining agreement, there is no violation of the Agreement in the work assignment at issue in this grievance. This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

7/18/97

Date



Roger W. Stalcup, Secretary
Review Committee

7/18/97

Date