



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
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RECEIVED
DEC. 10, 1998
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

General Services Case No. GSV-97-05
Fact Finding File No. 6619-97-150
Pre-Review Committee No. 2160

DAN NEALON
Company Member
Local Investigating Committee

MIKE GRILL
Union Member
Local Investigating Committee

Subject of the Grievance

Whether Materials Facilityperson position in Bakersfield should be temporarily upgraded to Material Facility Leader.

Facts of the Case

Letter Agreement 96-100, executed November 14, 1996 updated Exhibit VI-A of the Job Definitions and Lines of Progression for the Materials Distribution Department. The definitions for several classifications were revised and locations for materials operations were identified as Distribution Centers, Materials Facilities, Satellite Facilities, or Remote Service Points.

Materials Leadpersons and Lead Drivers can be assigned to work at any one of the four types of operations above, however, Materials Handlers (1210) can only be headquartered at Distribution Centers or Materials Facilities. However, as an assistant to a leadperson the Materials_Handler from a Distribution Center or Materials Facility can perform routine duties at one or more Satellite Facilities or Remote Service Points.

Bakersfield is listed as a Satellite Facility. There are three employees: a Materials Facilityperson (the grievant); a Materials Handler, who has been temporarily upgraded to a Lead Driver since July 22, 1996; and a Hiring Hall Materials Handler position filled almost continuously since October 29, 1996.

The grievant in this case was a Lead Driver prior to July 22, 1996 when he was reclassified to Materials Facilityperson, a promotion, based on the settlement of PRC 1875. The adjustment in that case was based on the then existing language of the Job Definitions and Lines of Progression for Materials Distribution.

Discussion

The Pre-Review Committee notes that the HH Materials Handler position appears to be regularly assigned to Bakersfield which is inappropriate under Letter Agreement 96-100 and gives rise to the Union's argument that the Facilityperson should be a temporary Facility Leader. The Union bases its position on the distinction between a Facility Leader and Facilityperson being the number of employees whose activities are being directed, either two for the Facilityperson or three for the Facility Leader, inclusive of self. Union asserts that since there are three employees at Bakersfield, one who is a Materials Handler, then one of the three should be a Facility Leader.

The PRC agreed that any number of Materials Leadpersons or Lead Drivers may work at a Satellite Facility or Remote Service Point and may report to a non-bargaining unit Materials Supervisor as do the two regular employees at Bakersfield. The PRC also agreed that a Materials Handler, while assigned to one Materials Facility or Distribution Center as his/her headquarters may be assigned, as an assistant to a Materials Leadperson or Lead Driver, routine duties at one or more Materials Satellite Facilities or Remote Service Points. The record does not establish whether the Materials Handler was assisting the Facilityperson or the Lead Driver.

The PRC also agreed that, with the adoption of L/A 96-100, it is inappropriate for a Materials Facility Leader, Materials Facilityperson, or Materials Handler to be regularly assigned to a Satellite Facility or Remote Service Point as they are classifications which may only be regularly assigned to a Distribution Center or Materials Facility. With the changes made in L/A 96-100, the Company did not take steps to reassign the grievant or to demote him to Material Leadperson or Lead Driver.

The PRC agrees to refer this case to the Materials Department 94-53 Committee to seek their recommendations regarding a disposition of the original issue, as well as, the other issues identified above.

DECISION

As stated above, this case was referred to the Materials Department 94-53 committee for their recommendations. The 94-53 Committee made the following recommendations which the PRC adopts to close out this case:

- Material Facilityperson - The employee in this position was "grandfathered" and when the position becomes vacant it is to be re-classified to a Leadperson or Lead Driver.
- Bakersfield is a "Satellite Facility" and was improperly staffed. There should not be a Materials Handler regularly assigned to the facility. During the period a Materials Handler was assigned, the provision of 205.3 should be applied and the Materials Facilityperson should be temporarily upgraded to 0765 Materials Facility Leader and the Materials Handler removed from the facility or replaced by Lead Driver.

- The long term temporary upgrade of the Materials Handler to Lead Driver was addressed and if there is a continuing need for the position it should be filled on a regular basis.

Margaret Short

Margaret A. Short, Chairman
Review Committee

12/8/98

Date

Roger Stalcup

Roger W. Stalcup, Secretary
Review Committee

12/8/98

Date