

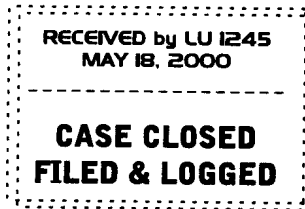


REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4282



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(925) 933-6060
BOB CHOATE, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

North Coast Division Grievance No. STR-98-035
Fact Finding No. 6912-99-070
Pre-Review Committee No. 2252

Pamela Benitez
Company Member
Local Investigating Committee

Larry Pierce
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the filling of operating clerical positions in Santa Rosa with Hiring Hall employees rather than filling the positions on a regular basis through Title 18.

Facts of the Case

This grievance was filed September 11, 1998. At that point, Hiring Hall clerks had worked since 1995 and at least one regular employee was upgraded from Utility Clerk to Operating Clerk.

The record indicates the staffing as: four regular employees (1 Sr. Oper. Clerk I; 2 Operating Clerk-Typists; an one Utility Clerk-Typist upgraded to Operating Clerk) and four Hiring Hall employees [1 Oper. Clerk since 3/97; 3 Utility Clerks since 2/95 and 2/96 (2)].

Subsequent to the filing of the grievance, Company has filled four positions on a regular basis, all Operating Clerk-Typists. Company had not taken steps to fill positions before or to fill additional positions on a regular basis due to a number of factors. First there was uncertainty of baseload work, a decision that was controlled by the client users of Administration Services. In addition, Company was awaiting the outcome of the 1999 General Rate Case which was delayed much longer than anticipated. Thirdly, Company was holding all clerical vacancies, not just those in the Operating line of progression, because of the impending consolidations in the Customer Services Line of Progression. Operating clerical vacancies can be appropriate Title 19 options for some employees impacted by displacement and layoff. For these reasons some Operating clerical vacancies were filled on a temporary basis.

In March 2000, the Company finally received the 1999 GRC decision. With this event, Company is in a position to move forward with staffing plans. The Customer Services consolidation process has begun. At the appropriate time, Company will begin to fill through Title 18 vacancies, including those in the Operating line of progression that have been held pending the Title 19 displacements.

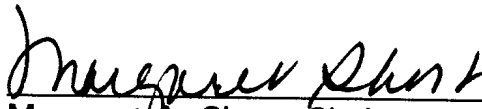
Decision

The PRC is in agreement that utilizing Hiring Hall employees in the same positions and headquarters for the period of time covered by this grievance, more than three years by the time of the filing, is longer than what was intended as temporary by the parties in negotiating the Hiring Hall agreement. An exception is made for extended use of Hiring Hall behind temporarily absent employees, for example those on Workers' Comp, or Leave of Absence, or extended sick leave. It should be noted, however, that there is no current contractual limit or definition of temporary, relative to the use of Hiring Hall employees.

While this case was being processed at PRC, the parties executed Letter Agreement 00-18 which provides for the filling through Title 18 of certain Operating Clerical vacancies. This case is returned to the LIC to review and resolve based on the provisions of Letter Agreement 00-18.

The LIC is to forward a copy of any settlement to the Pre-Review Committee who retains jurisdiction should the LIC not be able to resolve this grievance.

This case is removed from the PRC agenda.



Margaret A. Short, Chairman
Review Committee

5/17/00

Date



Bob Choate, Secretary
Review Committee

5/17/00

Date

Grievance STR-98-035
Fact Finding No. 6912-99-070
PRC #2252

Pursuant to the instructions from Pre Review Committee (PRC) 2252, the Company and Union reconvened at the LIC level for settlement.

As indicated in PRC 2252, it was agreed that utilizing Hiring Hall employees in the same positions and headquarters for the period of time covered by this grievance, more than three years by the time of the filing, is longer than what was intended as temporary by the parties in negotiating the Hiring Hall agreement. An exception is made for extended use of Hiring Hall behind temporarily absent employees, for example, those on Worker's Comp, or Leave of Absence, or extended sick leave. It should be noted, however, that there is no current contractual limit or definition of temporary, relative to the use of Hiring Hall employees.

While this case was being processed at PRC, the parties executed Letter Agreement 00-18 which provides for the filling through Title 18 of certain Operating Clerical vacancies. As a result, a total of 13 Title 200 clerical jobs (see attachment) were submitted to the Centralized Job Bid Team for filing on May 26, 2000. To date, seven (7) positions were filled; six (6) positions are in the process of being filled. Hiring Hall employees currently in these positions will be released when a regular employee reports to the position and the requisite training has been accomplished.


LARRY PIERCE, IBEW Business Rep.

Concur/Dissent

6-15-00
Date


MAGGIE SARMIENTO, HR Advisor

Concur/Dissent

6-15-00
Date

CLERICAL VACANCIES - MAY 2000

	CLASS	DEPT	LOCATION	PREBID/ TRANSFER CODE	NUM BER	BIDDER	DATE ACCEPTED	COMMENTS
OM&C	AFC *	OM&C	San Rafael SC	6373	1			
	AFC *	OM&C	Occidental Rd	6374	1	C.Morgan	5/26	
	Opr Clk	E&M	San Rafael Office	6189	2	C.McDonald	5/24	
	Opr Clk	Support Svcs	Stony Circle	4184	3	J.Hax	5/24	
	Opr Clk	E&M	Occidental Rd	4086	2	V.Chestovich	5/23	
	Opr Clk	OM&C-Gas	Occidental Rd	4152	1	D.Fechter	5/24	
	Opr Clk-Typ	E&M	Eureka	4217	1			
	Sr Op Clk I *	E&M	Occidental Rd	6375	1	L.Foster	5/22	
	Util Clk	Support Svcs	Stony Circle	4186	1	B.DeConter	5/24	
TRANS	Opr Clk-Typ *	Elec Trans Mtce	Lakeville	6378	1	M.Malley	5/24	
CUST SVC	Opr Clk-Typ	Metering Svcs	Santa Rosa	4633	1	L.Rugg	5/24	
	Sr Svc Rep I	Mtr Rdr/Ofc Svcs	Santa Rosa	4116	1			
RESULTING VACANCIES								
	Sr Op Clk I	Support Svcs	Stony Circle	4188	1	J.Sunseri	5/26	Submitted 5/22/00-L.Foster
	Opr Clk	OM&C	San Rafael	1313	1			Submitted 5/24/00-C.McDonald
	Opr Clk	Svc Plng	San Rafael	6189	1			Submitted 5/24/00-J.Hax
	Opr Clk	Support Svcs	Stony Circle	4184	1			Submitted 5/30/00-D.Fechter Moved from OC/T, Occ to OC, Stony