



REVIEW COMMITTEE

PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
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MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

RECEIVED by LU 1245
JUNE 15, 2001

**CASE CLOSED
FILED & LOGGED**

IBEW



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
SALIM A. TAMIMI, SECRETARY

Pre-Review Committee No. 12043 Electric T&D - Templeton

Jeff Neeley
Company Member
Local Investigating Committee

Dan Lockwood
Union Member
Local Investigating Committee

Subject of the Grievance

This grievance concerns the one and one-half year temporary upgrade of a lineman to Troublemancer in the Templeton headquarters. Union believes the upgrade time is excessive and that the position should be filled on a regular basis.

Facts of the Case

A lineman has been on temporary upgrade to Troublemancer for an extended period of time, approximately one and one-half years. Prior to the upgrade assignment, the position had been filled on a regular basis. It was vacated by the retirement of the incumbent. The grievant has more service than the Lineman who is upgraded. However, the grievant does not have a prebid on file.

The Company indicated in the LIC that they did not have any immediate plans to fill the position on a regular basis but would continue to assess its manpower needs.

Discussion

A similar issue is addressed in P-RC 11653. In that case, a temporary vacancy had been continuously filled for a period of 13 months while the incumbent was on temporary assignment out of the bargaining unit. The committee agreed that while it may be appropriate to temporarily fill a vacancy in an effort to determine if there is a need to fill it on a regular basis, such evaluation should take place within a reasonable time frame. To do otherwise, would allow qualified bidders from within the headquarters to fill jobs indefinitely at the expense of bidders from other headquarters who may be entitled to the vacancy on a regular basis.

In PRC 11653, Company was prohibited from filling the vacancy on a regular basis as it was a temporary one pursuant to Section 205.1

The Committee also discussed Section 7.1 of the Agreement that reinforces the Company's right to manage its Workforce, including the determination of when to fill vacant positions.

In this case, it would appear that a continuous upgrade assignment of one and one-half years is excessive. It is this Committee's understanding that following the Fact Finding Committee discussion of this case, the temporary upgrade assignment has been discontinued.

The PRC also reviewed and discussed Review Committee Decision No. 1421.

Decision

The Committee agreed that this grievance should have been closed on the basis that the grievant did not and still does not have a prebid on file to Troubleman - Templeton.

As to the length of the temporary assignment, while there is no contractually established limit, this was not a temporary vacancy but a vacated position. However, the issue of long-term temporary upgrades (when not filling in for an absent employee) is one that has been raised many times in the grievance procedure. As such, the PRC strongly recommends that Company's evaluation of whether to fill a vacated position on a regular basis or not should be made in an expeditious manner consistent with Section 205.1(a) of the Agreement.

The PRC has learned that a Requisition has been submitted to fill this vacancy. The control date is May 14, 2001 and the Job Vacancy Number is 016125, and was awarded on May 18, 2001 by the employee that was temporarily upgraded for the 18 months.

This case is closed on the basis of the foregoing.

Margaret Short

Margaret A. Short, Chairman
Review Committee

6/14/01

Date

Salim A. Tamimi

Sam Tamimi, Secretary
Review Committee

6-14-01

Date