



REVIEW COMMITTEE

IBEW



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

RECEIVED by LU 1245
December 24, 2004

**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN
DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 14368 CGT - Kettleman

Kris Picton
Company Member
Local Investigating Committee

Ed Dwyer
Union Member
Local Investigating Committee

Subject of the Grievance

This grievance concerns contracted work, allegedly in violation of the optimum overtime provisions of Exhibit XVI.

Facts of the Case

An IBEW represented employee temporarily upgraded to Project Manager contracted with Mears Services to excavate several locations. When it was brought to his attention that a Notice of Intent to Contract had not been filed, the job was halted until the paperwork was submitted.

The size and location of the excavations was not "work normally performed" by the grievants. In fact their headquarters did not have proper equipment for one of the excavations. Further, the grievants actually were on-site as observers when the contractor completed the work.

Company does agree that this is "work normally performed" by Title 300 employees, however, there were none available at the time to complete this work.

Discussion

This case is similar to other recently settled CGT grievances in that there is no obligation to assign Title 300 work to Title 200 employees and the Title 200 grievants were actually at the job site for the duration of the contractor's work. There is nothing in the record that indicates the contractor worked overtime on these jobs. So for all practical purposes, the Title 200 employees were assigned this job on straight time, at least, tasks that are within their area of "work normally performed".

Decision

Given the age of this case, the PRC agrees to close it without adjustment and without prejudice to the position of either party.

Margaret A. Short, Chairman
Review Committee

12/22/04
Date

Sam Tamimi, Secretary
Review Committee

12-22-04
Date