



REVIEW COMMITTEE



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RECEIVED by LU 1245
February 9, 2009

**CASE CLOSED
FILED & LOGGED**

JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Pre-Review Committee No. 16301
(combined with 16357,16381,16457,16510,17876)
Hydro Generation – Alta/Drum

Jeff Neeley
Company Member
Local investigating Committee

Phil Carter
Union Member
Local Investigating Committee

Grievance Issue:

The Company is using Water System Repairpersons (WSR) to perform Water System Operator (WSO) and Utility Hydro Operator (UHO) duties.

Facts of the Case:

Letter Agreement 05-22 moved the WSO and the Utility Hydro Operator (UHO) under the Operator Line of progression. The letter agreement also eliminated the Water Department and moved the WSR to the Electric Maintenance Department.

WSO and HWO have schedule rotation and may have a residency requirement and are now in the Operation line of progression. WSR are day employees without a residence requirement and are in the Maintenance line of progression. Both the WSR and UHO have clear job descriptions.

Based on the LIC report the duties in question have from time to time historically been performed by all of the classifications mentioned in the grievance. The report indicates that the WSR's were used to back fill for the WSO's (days off, sick leave, vacation, etc.) The issue in these cases surrounds the assignment of work on EOT and POT.

The Supervisor stated that the work assignments in question are 90% repair work assignment that more closely match the work of a WSR. The Union stated that they believed that is work that contractually belongs to the HWO.

Discussion

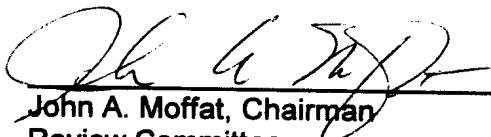
The Union argued that in LA 05-22 the WSO classification was removed as next lower classification to a WSR and the work performed by a WSR is limited to what is provided in the job description. This means that work that was normally performed by WSR, that being work performed in a classification lower in the line of progression can no longer be performed.

The Company argued it was never intended to modify the work historically performed by the WSR. The work in question is shared and not exclusively WSO or WSR work duties.

After lengthy discussions and discussions with the negotiators it was clear that the parties did not intend to disturb the work practices of the classifications. The focus was on providing more opportunities to WSR and to provide additional compensation and a new line of progression for the WSO. Additionally, the EOT and POT arrangement prior to LA 05-22 was also to remain in effect unless the parties mutually agree to change

Decision

In this instant case, there is no contractual requirement to deviate from the past practice as a result of the language in letter agreement R1-05-22. This case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

2/6/09

Date



Bob Choate, Secretary
Review Committee

2/6/09

Date