

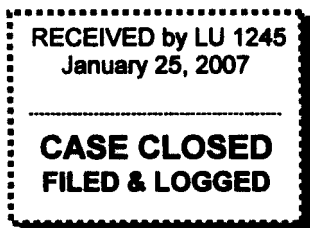
304.1: No violations occurred concerning the rate of pay for an MEO working as a Crane Operator.



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

REVIEW COMMITTEE



IBEW



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ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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SALIM A. TAMIMI, SECRETARY

Pre-Review Committee No. 16334 OM&C – General Construction Line Dept – Fresno

Monica Oakes
Company Member
Local Investigating Committee

Mike Haentjens
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the rate of pay for an employee working as a Crane Operator.

Facts of the Case

The grievant is a Miscellaneous Equipment Operator (MEO) who began a temporary upgrade to Crane Operator-GC Field some time in December 2005. The grievant has a hire date of July 6, 1977. Based on Company records indicating sufficient accumulated temporary time, he was placed at the 24 month step of the 30 month Crane Operator wage progression.

The grievant and a Subforeman A stated that 20 years ago the grievant operated a Crane on a project and the grievant does not believe those hours were credited. The grievant believes he worked enough hours to go to the top step – 30 months. There are no Company records to reflect these hours more than the credited 24 month step.

A review of Company records shows an entry for Crane Operator-Davis which is a different class code and is in Fleet and the records indicate that there were no hours recorded or credited to the grievant's work history. The grievant denies ever working in this capacity.

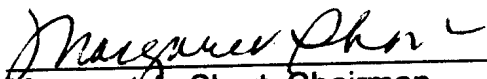
The grievant did, in fact, reach the top of the rate of Crane Operator-GC Field on April 7, 2006.

Discussion

In a case like this, the parties have to rely on Company records. The grievant admits that he assumed his time was recorded properly. Thus, if there was an error, it went unquestioned for a long period of time. The Company records were sufficient to get the grievant almost to the top rate of a 30 month progression which means records of temporary time worked by him in that classification must have been maintained for quite some time, since the top of MEO falls between the six and twelve month steps of Crane Operator.

Decision

Based on the facts of this case, no violation of the agreement occurred. This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

11/16/06

Date



Bob Choate, Secretary
Review Committee

11/16/06

Date