

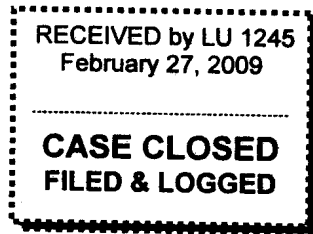


## REVIEW COMMITTEE



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JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

### Pre-Review Committee No. 18185 Electric T & D - Oakdale

Debbie Sargent  
Company Member  
Local investigating Committee

John Mendoza  
Union Member  
Local Investigating Committee

#### Grievance Issue:

This case concerns the callout of a Compliance Inspector (CI) from Oakdale for an emergency overtime assignment in the Sonora headquarters after the local emergency overtime sign-up (212) list was exhausted, and whether or not the 212 list in the Oakdale headquarters should have been used prior to calling a Compliance Inspector.

#### Facts of the Case:

During an emergency situation in February 2008, the on-call supervisor called in two Linemen and an Electric Crew Foreman from the Sonora headquarters where the emergency originated. After exhausting the Sonora 212 list he was unable to get a fourth journeyman to complete the crew. He then contacted a Compliance Inspector from Oakdale, who responded. The weather was stormy but the Operations Emergency Center (OEC) for that area was never opened up. The Oakdale 212 list was not used.

#### Discussion

Union members argued that the Oakdale 212 list should have been used prior to calling out a Compliance Inspector, because Letter Agreement 02-32 only allows CIs to be called out to work as Linemen if the OEC is open. CIs are eligible to sign the 212 list as a CI, and be called out if a Compliance Inspector is needed. The grievant in this case was number two on the Oakdale 212 list and is owed bypass pay for the assignment.

Company opined that L/A 02-32 does not supersede the provisions of Title 212 and as such, Title 212 was not violated in this case. In accordance with Pre-Review Committee 1481, once the local 212 list has been exhausted, management is only obligated to use the 212 list in neighboring headquarters under one condition – when the employees must first report directly to their regular headquarters for any reason. In the instant case, the employee did

not report directly to the Oakdale headquarters, so management was not obligated to use the Oakdale 212 list.

P-RC 1481 does recommend using the 212 list in the neighboring headquarters unless there is a compelling reason not to do so. The example given mirrors the instant case. The Compliance Inspector who was called out resides in Sonora where the emergency situation existed. This allowed the crew to perform their work on a much more expedient basis than contacting someone in Oakdale.

Company further argued that in L/A 02-32 the parties did not intend to ban Compliance Inspectors from volunteering to work as Linemen in emergency situations. Rather, the language allows for management to require CIs to respond to emergencies as a member of the crew when the OEC is open.

Decision

The Pre-Review Committee agreed that no violation of Title 212 occurred. This case is closed without adjustment.



John A. Moffat, Chairman  
Review Committee

Date

2-24-09



Bob Choate, Secretary  
Review Committee

Date

2/27/09