



REVIEW COMMITTEE

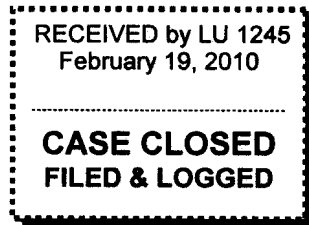


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INTERNATIONAL BROTHERHOOD OF
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JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

Pre-Review Committee No. 18958 Energy Delivery – Gas T&D – Santa Rosa

Michelle Roberts
Company Member
Local investigating Committee

Joe Osterlund
Union Member
Local Investigating Committee

Subject of the Grievance:

Multiple upgrades to Gas Crew Leader position over a twelve month period and the Company's failure to fill the position on a regular basis in violation of Section 205.1 of the Agreement.

Facts of the Case:

The Company has been upgrading an Equipment Operator, a Fitter-Arc and two Fitters. The Equipment Operator had been upgraded from 1/2/2008 until 11/18/2008 and occasionally during 2009. The Fitter-Arc was upgraded from 1/3/2008 to 12/1/2008 and continues to receive upgrades 20-40% of the time. One Fitter was upgraded from 5/10/2008 to 11/20/2008. The second Fitter has been upgraded since 1/5/2008.

In the 2008 bargaining, several changes were made to Gas T&D Line of Progression that reduced the need in 2009 to upgrade Fitters and others to Gas Crew Leader. The effective date of the changes was 1/1/2009

The supervisor has requested to fill a regular Gas Crew Foreman position but has not received approval. The Company is assessing the need. The Company stated that this was a peak workload period due to a number of Gas issues in this area. It is anticipated the demand is going to drop and that the work will stabilize.

Discussion:

This issue is not new to the grievance procedure and has been addressed in previous precedent setting grievances. P-RC 168 and P-RC 669 settled a similar claim. In P-RC 168 it was noted that on occasion a vacancy may be filled temporarily but not permanently due to projected workload. In P-RC 668, the parties agreed that the Company should expeditiously fill vacancies but that it occurs only after the decision is made and approvals are received to fill a vacancy on a permanent basis. Both of these cases were closed without adjustment.

In this case the fact that changes were made in bargaining effective 1/1/2009 and the fact that the Gas issues in the area are being addressed, it is clear that the workload will be adjusting and the need to fill a Gas Crew Leader on a regular basis needs additional review.

Decision:

This case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

2/11/2010
Date



Bob Choate, Secretary
Review Committee

2/11/2010
Date