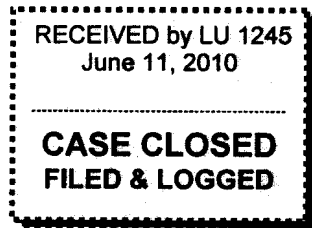




REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(415) 973-6725



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

JOHN MOFFAT, CHAIRMAN

BOB CHOATE, SECRETARY

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 19088 Shared Services – Materials - Fremont

Voncille Williams
Company Member
Local investigating Committee

Bernard Smallwood
Union Member
Local Investigating Committee

Grievance Issue:

The Company bypassed a Materials Handler for a Lead Driver position.

Facts of the Case:

The Grievant was hired on October 10, 1972 and is currently a Materials Handler. The Grievant held the position on a temporary basis as a Lead Driver from October 15, 2001 to September 29, 2002.

The Grievant has a valid CDLA and an up to date medical. The Grievant obtained the CDLA through the Company in 1990.

Testimony received from the Senior Instructor at the Company's Driving School stated the Grievant was given two opportunities to take and pass the driving test. The Grievant accumulated 37 out of a possible 45 errors. The test was stopped because the Grievant hit the curb which is an immediate failure. This is the DMV standard. The instructor also had to intervene during the test which means to give additional instructions. The Grievant in the second test made four critical driving errors and the test was stopped.

Employees are sent back to the driving school as a refresher to be sure the employee has the skill and personal qualification to drive safely. The Grievant was given several attempts to demonstrate his skill and he failed the school and was bypassed for the driver's position.

Discussion:

The Union argued that the Grievant had satisfactorily completed the required course years ago and that there is no language requiring him to take the test again. The Union further argued that there is no justification to bypass the Grievant based on the fact that the Grievant has been upgraded periodically to Lead Driver.

The Company argued that the Grievant failed the required five day driving course and was given ample opportunity to demonstrate his skill and personal qualification. The Company routinely gives test to determine if an employee can perform the duties of a position that an employee bids. The employee who received the job award had the similar situation as the Grievant as he also was upgraded periodically upgraded to Lead Driver and did not drive a commercial vehicle on a regular

basis, but when he was sent to Livermore for the refresher course he passed all portions of the five day course..

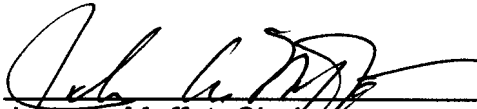
It is clear from the failure of the Grievant on two driving tests that he does not possess the skill required to perform the work. The bypass under the provisions of Section 205.11 was appropriate.

205.11 BYPASS FOR LACK OF QUALIFICATIONS

“(a) Notwithstanding anything contained in this Title, Company may reject the bid of any employee who does not possess the knowledge, skill, efficiency, adaptability and physical ability required for the job on which the bid is made.”

Decision:

The Grievant was appropriately bypassed for lacking the skill to perform the duties of the job at the time of the refresher course and this case is closed without adjustment.



John A. Moffat, Chairman
Review Committee

6/4/10

Date



Bob Choate, Secretary
Review Committee

6/4/10

Date