



# REVIEW COMMITTEE

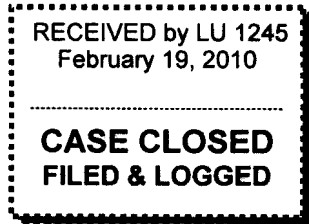


PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
MAIL CODE N2Z  
P.O. BOX 770000  
SAN FRANCISCO, CA 94177  
(415) 973-6725

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

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

## Pre-Review Committee No. 19148 Energy Delivery – Gas T&D - Tracy

Deborah Sargent  
Company Member  
Local investigating Committee

John Mendoza  
Union Member  
Local Investigating Committee

### Grievance Issue:

Company denied a progressive wage increase and automatic progression to a temporary Maintenance Assistant II to Senior Maintenance Assistant.

### Facts of the Case:

On September 16, 2008 the grievant was placed temporarily into a Maintenance Assistant II position and received the second step wage rate for that classification. The grievant's base classification and rate is a top step Utility Worker.

The Maintenance Assistant (MA) Line of Progression has three classifications MA I, MA II and Senior MA. An employee goes from a MA I to MA II after having spent six months at the top rate of the MA I or had 18 months in the classification. A MA II goes to Senior MA having spent six months at the top rate of the MA II.

The grievant was denied progression to Senior MA after he had spent six months at the top rate of a MA II. The grievant never held the MA I classification and had only a total of one year in the line of progression. The Company denied the progression because the initial temporary placement was in violation of the Agreement.

The grievant has since returned to his base classification.

### Discussion:

The Union argued that other employees have been placed into MA II and Senior MA classifications and were not held back. The grievant should be able to progress to the Sr. MA since he held the top rate for six months.

The Company argued that the language is clear that the employee should have been placed at the top step of a MA I and at the end of six months could have progressed to the MA II and only after spending six months at the top rate of an MA II could there be a progression to Senior MA.

It is unfortunate that the employee was placed in the wrong classification at the wrong rate but it is inappropriate to continue with the error or to compound the mistake. RC 909 provides wage treatment when an employee wants to work in a lower paid classification. In this case an MA I makes

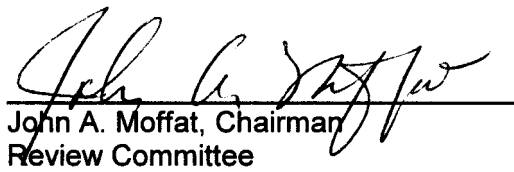
less money than a top step Utility Worker. Based on the language in the line of progression and the previous Review Committee Decisions this employee was overpaid for the period of time of the temporary assignment.

Decision:

In the future if the employee has six months at the top rate of pay while in the MA I, that employee will automatically progress to the MA II classification and any subsequent temporary upgrades would be at the appropriate MA II rate of pay. If the employee has six month time at the top rate of a MA II then the upgrade would be to a Senior MA.

As an equity settlement in this case the Company will not seek reimbursement for the overpayment.

The parties agree to close this case without further adjustment

  
\_\_\_\_\_  
John A. Moffat, Chairman  
Review Committee

2/11/2010  
\_\_\_\_\_  
Date

  
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Bob Choate, Secretary  
Review Committee

2/11/2010  
\_\_\_\_\_  
Date