



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

JOHN A. MOFFAT, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

REVIEW COMMITTEE

RECEIVED by LU 1245
 June 11, 2010

CASE CLOSED
FILED & LOGGED



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

BOB CHOATE, SECRETARY

Pre-Review Committee No. 19563
Energy Delivery – Electric T&D - Fresno

Monica Oakes
 Company Member
 Local Investigating Committee

Mike Grill
 Union Member
 Local Investigating Committee

Subject of the Grievance:

The Company allegedly bypassed a Lineman for emergency overtime.

Facts of the Case:

The Grievant, a lineman signed the weekly 212 list making himself available for emergency overtime. The Grievant was called to report to his headquarters for an overtime assignment in an adjacent service area. The Grievant declined the assignment because he did not want to go to the adjacent service area, his wife was at work, and he wanted to stay home with his children

Subsequent to the refusal another emergency arose and the assignment went to a Title 300 crew. This new emergency occurred approximately one half hour after the Grievant's refusal.

The Grievant did not believe he was being "dinged" for the refusal and that he was still on call.


Discussion:

The Union argued that this specific situation to work outside of the employees headquarters is not addressed by Title 212 and that based that there is no specific language in the agreement the Company should not have bypassed the Grievant for the assignment. in his headquarters area.

The Company maintained that there is no contractual violation. The first assignment was in a nearby service territory and since he refused that assignment he is not entitled to further call out opportunities for the remainder of the callout period.

Decision:

The parties discussed this case and agreed to return it to the Local Investigating Committee to discuss any written local agreements that address this situation and settle the case. The Grievant should be charged for his refusal of the call out "dinged" and no bypass occurred if there is no local language to the contrary.



John A. Moffat, Chairman
Review Committee

6/4/10

Date



Bob Choate, Secretary
Review Committee

6/4/10

Date