



## REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
MAIL CODE N2Z  
P.O. BOX 770000  
SAN FRANCISCO, CA 94177  
(650) 598-7567

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

DOUG VEADER, CHAIRMAN  
 DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

### Pre-Review Committee Number 21851 Electric Operations – M&C – Santa Rosa

Maggie Brown  
Company Member  
Local Investigating Committee

J.V. Macor  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns whether the Company was contractually required to offer overtime flagging to employees in the Foreman's Clerk, Assistant Foreman's Clerk, and Street Light Maintenceman classifications before utilizing contractors to perform flagging work on overtime.

#### Facts of the Case

The grievants in this case are a Foreman's Clerk, an Assistant Foreman's Clerk, and a Street Light Maintenceman. A contractor was utilized on prearranged overtime to perform flagging and the overtime assignment was not offered to the any of the grievants.

#### Discussion

The Committee reviewed the language of Exhibit XVI and Letter Agreement 09-01, which states in part "The Company will exhaust the applicable 212 list and check the availability of Title 300 resources before calling contractors for emergency duty. The appropriate Title 200 and 300 bargaining unit employees will be offered prearranged overtime before any contractors are called into work for prearranged overtime."

The Committee noted that Letter Agreement 09-41 is applicable to the Electric T&D (200 and 300) department. The Streetlight Maintenceman classification is in the Electric T&D Department, but the Foreman's Clerk and Assistant Foreman's Clerk classifications are in the Electric Office Department.

The Committee conducted a cursory survey of the system and found the use of these classifications to perform flagging was inconsistent. The Committee also reviewed the job definitions of these classifications.

The Company argued that Letter Agreement 09-41 is not applicable to the Electric Office Department and the requirement to offer prearranged overtime to "appropriate Title 200" employees does not extend to employees outside department contracting the work.

The Company noted the job description of the Foreman's Clerk states in part "is engaged in performing clerical work and assisting in administrative work of such office". No place in the description does it state that they assist the crews in field work which would include flagging. The job description of the Assistant Foreman's Clerk is similar to that of a Forman's Clerk.


Based on the language of Letter Agreement 09-41, the job definitions, and the inconsistent practice, the Committee agreed that the requirement to offer overtime before contracting overtime flagging is applicable to the Streetlight Maintenceman classification, but not to the Foreman's Clerk and Assistant Foreman's Clerk classifications. There is no requirement to offer overtime to the Foreman's Clerk and Assistant Foreman's Clerk classifications before contracting overtime flagging, but if employees in these classifications are properly trained they may be utilized solely at the Company's discretion.

Decision

The Committee agreed that there is no violation in the situations involving the grievants in the Foreman's Clerk and Assistant Foreman's Clerk classifications. There is a violation in the situation involving the grievant in the Streetlight Maintenceman classification. Given the need for more detailed information, the remedy is remanded to the Local Investigating Committee.

  
\_\_\_\_\_  
Doug Veader, Chairman  
Review Committee

8/20/14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
F.E. (Ed) Dwyer Jr, Secretary  
Review Committee

8/20/14  
\_\_\_\_\_  
Date