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FOR INTRA - COMPANY USES

DIVISION OR DEPARTMENT **INDUSTRIAL RELATIONS**

FILE NO. **741.5**

RE LETTER OF

SUBJECT **Review Committee File No. 1184
North Bay Division L.I.C. Grievance No. 4-72-9
Rejection of Postbid for Travelling Rigger Job**

December 4, 1972

MR. F. DE GENNARO, Chairman
North Bay Division
Joint Grievance Committee .

The above-subject case has been received by the Review Committee and discussed at its last meeting. After reading the submissions of both the Company and the Union and the Joint Statement of Facts signed by them, this Committee is unable to determine the specific grounds upon which the grievant has been bypassed for the job of Rigger. In the main, the record does little more than point up that the Union and the Company are at loggerheads at the local level as to whether or not having successfully completed a Company or outside Apprentice Rigger training program is in and of itself sufficient grounds for bypass.

To this question, the broad answer is no. Having completed or not completed a Company apprenticeship training program, although it may be very important in other cases, is not an exclusive factor for qualification in this case in that the record does demonstrate that the employee has performed rigging work in various classifications that he has held within the Company. To this extent then, it is incumbent upon the Company to reasonably demonstrate that these past experiences have not furnished the employee with the skill or knowledge required to adequately and safely perform the work required in the position to which he has bid. Although the record evidences some inference that the employee's past work experiences would not qualify him for the position to which he has bid, it does not go far enough to indicate to this Committee that such decision was reasonably based.

The purpose then in referring this case back to the Division Committee is to provide an opportunity for the Company to go further and to set forth the specific reasons or examples of the grievant's experience or lack of experience which would demonstrate that the employee was not presently qualified when he bid to hold the job to which he expected appointment. To do this the Division may wish to give the grievant the final Apprentice Rigger examination and have him demonstrate his qualifications on the cranes at the Geysers.

Having done this, the Division Joint Grievance Committee or Local Investigating Committee should be in a position to settle this grievance and, if not, then it can be again forwarded to the Review Committee.

**L. V. BROWN, Chairman
Review Committee**

LVB:RS

cc: JGFoster HJStefanetti
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