

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
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D.J. BERGMAN, CHAIRMAN

IBEW



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
L.N. FOSS, SECRETARY

- ☐ DECISION
- ☒ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

Review Committee File No. 1454-78-21
Fact Finding Committee No. 981-78-274
San Jose Division Grievance No. 8-258-78-57
Change in Serviceman Shifts

April 12, 1979

MR. L. A. WEST, Company Member
San Jose Division
Local Investigating Committee

MR. M. J. DAVIS, Union Member
San Jose Division
Local Investigating Committee

The above-subject grievance has been discussed by the Review Committee and is being returned to the Local Investigating Committee for settlement in accordance with the following:

This case concerns the question of whether or not Company's failure to fill vacant Servicemen's positions through the bidding procedure results in a violation of the Agreement and the Labor Agreement Clarification dated April 1, 1965, regarding Title 202 - Hours. The Union claims that the filling of these vacant shifts through the Clarification by other Servicemen effectively changes the negotiated Gas Serviceman's schedule for the district. The Committee recognizes that the reason that the Company had not filled certain Serviceman jobs in Central District of San Jose is that it anticipates eliminating some Serviceman positions through attrition due to a reduction in the workload. The Committee agrees that the Company has the right to fill vacant shifts according to the Clarification and Section 208.18 of the Physical Agreement. In this case, however, when a number of Serviceman jobs have been left vacant pending a decision to fill or cancel, the temporary transfer of Servicemen to fill these vacant shifts has the practical effect of changing a negotiated schedule. The Clarification and Section 208.18 of the Physical Agreement are not intended as substitutes for renegotiating the existing schedule, and their long-term use in this regard is improper.

An ancillary issue in this grievance relates to the use of Reserve Gas Serviceman to fill vacant shifts. The Company has a long-standing practice in San Jose Division, which was confirmed as part of a grievance settlement in 1977, whereby only qualified Reserve Gas Servicemen were allowed to work night shifts and weekends. The parties had defined a qualified Reserve Gas Serviceman as an employee who had at least six months or more experience as a Serviceman. Other than that, Reserve Gas Servicemen were upgraded on the day shifts only until they had accumulated sufficient time to be qualified. In this case, the Union argued that the Reserve Gas Serviceman should be considered qualified after completing the three-week

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Gas Serviceman School followed by a reasonable break-in period. The Company believes that the practice of requiring six months' time as a Serviceman was reasonable and cited varying practices in other Divisions.

The Review Committee, in an effort to resolve this grievance, refers the case back to the Local Investigating Committee and closes such case with the stipulation that the parties will negotiate a revised Gas Serviceman schedule under Section 202.8 based on the existing present manpower situation in Central District to be further revised if the Company reduces the number of Serviceman classifications. Further, the Review Committee recommends that a letter agreement be adopted clarifying the Company's intent on the period of time it believes would be necessary for a Reserve Gas Serviceman to qualify to work on night shifts and weekends. This letter agreement will revise the widely-varying existing practices among the Divisions and provide a consistent approach for the system. With this understanding, this case is considered closed without adjustment, and the closure should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



L. N. FOSS, Secretary
Review Committee

PEPettigrew(1123):rto

cc: VHLind
IWBonbright
LVBrown
FCBuchholz
JBStoutamore
RHCunningham
Personnel Managers