

REVIEW COMMITTEE**PG and E****IBEW** 

PACIFIC GAS AND ELECTRIC COMPANY
 245 MARKET STREET, ROOM 444
 SAN FRANCISCO, CALIFORNIA 94108
 (415) 781-4211, EXTENSION 1125

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

CASE CLOSED
LOGGED AND FILED JUL 21 1982

D.J. BERGMAN, CHAIRMAN

R.W. STALCUP, SECRETARY

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

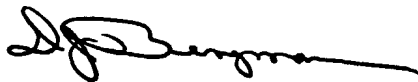
General Construction Grievance Nos. 3-719-80-4 (RC 1494),
 3-163-77-34, 3-487-78-138 (RC 1500), 3-701-79-190
 (RC 1505), 3-768-80-53 (P-RC 552), 3-912-81-16,
 3-913-81-17 (P-RC 660), 3-935-81-39 (P-RC 672),
 3-1011-81-115 (P-RC 732), 3-1048-82-7 (P-RC 760),
 3-1051-82-10 (P-RC 752), 3-1018-81-122 (P-RC 743)
 & 3-1017-81-121 (P-RC 742)

July 13, 1982

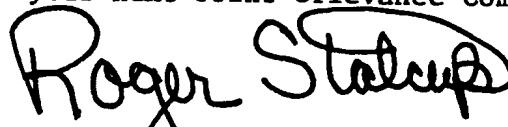
MR. R. S. BAIN, Chairman
 General Construction
 Joint Grievance Committee

Attached is a letter agreement concerning the promotion, demotion or retention of the Working Foreman B classification in Gas Construction, General Construction Department. As noted on Page 3, the Joint Grievance Committee is to use this agreement as a guideline in settling the above-mentioned grievances and all others currently pending at other levels of the grievance procedure.

These cases are considered closed on the basis of the foregoing, and the closures so noted in the minutes of your next Joint Grievance Committee meeting.



D. J. BERGMAN, Chairman
 Review Committee



R. W. STALCUP, Secretary
 Review Committee

DJB:ml

cc: GSBates
 LCBeanland
 IWBonbright
 FCBuchholz
 GClerk
 RHCunningham
 NRFarley
 DLee
 DAOkabayashi
 TCPhebus
 WKSnyder
 JBStoutamore
 CPTaylor
 CEWelte
 Division Personnel Managers

Enclosure

PACIFIC GAS AND ELECTRIC COMPANY

PG&E + 245 MARKET STREET • SAN FRANCISCO, CALIFORNIA 94106 • (415) 781-4211 • TWX 910-372-6567

June 15, 1982

Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P. O. Box 4790
Walnut Creek, California 94596

Attention: Mr. Jack K. McNally, Business Manager

Gentlemen:

As a result of numerous General Construction grievances referred to the Review Committee concerning demotions of Working Foremen, the Company's members of the Review Committee are of the opinion that a negotiated guideline is necessary before the pending grievances can be resolved. Therefore, pursuant to Section 306.10 of the Physical Labor Agreement, Company proposes the following:

Guidelines for Promotion, Demotion, or Retention in the Working Foreman B Classification in the Gas Construction Department

These guidelines are intended to supplement and clarify Titles 305 and 306 of the Physical Labor Agreement between the Company and IBEW, Local 1245, insofar as such Titles affect, or are applied to, the Working Foreman B classification in the Gas Construction Department. The guidelines are divided into two general job groups.

Group I contains categories of jobs on which the Working Foreman B is required to possess the craft background necessary to enable him to perform and supervise the work in progress. Group II contains categories of jobs on which the Working Foreman B is not required to possess a specific craft background.

JOB GROUP I

- A. Electric generating power plants
- B. Gas "Projects"*

- C. Gas wells
- D. Gas compressor, regulating, metering, dehydrator stations

An employee will be considered qualified for Working Foreman B positions on crews working on such jobs when such employee possesses the craft background necessary, at the time the promotion or demotion is made or at the time there is a major shift in the work in progress, to enable him to properly perform and supervise the work assigned. If the Working Foreman B position will require the employee to perform only supervisory functions, his craft background will not have to be considered. Once the employee's qualifications, or lack of qualifications, for such Working Foreman B position have been determined in accordance with the foregoing, he will be promoted in accordance with Title 305, retained in his current classification to continue on the job, or demoted in accordance with Title 306, whichever is applicable.

In the application of the above, the following guide is intended as a general reference:

If the critical function of the job is related to a specific craft skill, (e.g., welding, carpentry, equipment operation), and the Working Foreman is regularly required to perform that craft skill, the Working Foreman with the craft skill qualifications shall be utilized; otherwise, skill qualifications will not be considered.

Where it is practicable to do so when there are several Working Foreman B's with different craft backgrounds assigned to a headquarters, such employees shall be given the work and training necessary to prepare them to direct the activities of all skill crafts.

JOB GROUP II

- A. Joint trench jobs
- B. "Rule 20" jobs
- C. Cathodic protection jobs

The language of Title 305 or Title 306, as appropriate, will be unconditionally applicable to Working Foreman B positions on such jobs.

*Each calendar quarter, Company will notify the Union in writing of the locations of the "Projects" (for these purposes) which are planned or in progress. It is understood that if the Union does not agree a particular job should carry the "Project" designation, the Union will pursue its objection through the grievance procedure or at a Labor-Management Meeting. "Projects" for these purposes are not necessarily also "Projects" for the purposes of Titles 301 and 302.

The following cases and any others currently at other levels of the grievance procedure, will be returned to the Joint Grievance Committee for settlement in accordance with the above Guideline.

Review Committee

No. 1494
No. 1500
No. 1505

Pre-Review Committee

No. 552
No. 660
No. 672
No. 732
No. 742
No. 743
No. 752
No. 760

If you are in accord with the foregoing and agree thereto, please so indicate in the space provided below and return one executed copy of this letter to Company.

Yours very truly,

PACIFIC GAS AND ELECTRIC COMPANY

By *J. W. Bonbright*
Manager of Industrial Relations

The Union is in accord with the foregoing and it agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

July 6, 1982

By *John McKinney*
Business Manager

RC 1505

PACIFIC GAS AND ELECTRIC COMPANY

PO BOX 1877 77 BEALE STREET • SAN FRANCISCO, CALIFORNIA 94106 • (415) 781-4211 • TWX 910-372-6587

August 24, 1982

Messrs. Ronald Van Dyke
Gene Wallace
Business Representatives
Local Union 1245
I.B.E.W.
P. O. Box 4790
Walnut Creek, CA 94596

Dear Messrs. Van Dyke and Wallace:

The following will confirm the agreements reached in our August 8, 1982 Joint Grievance Committee subcommittee meeting on the unresolved Grievances concerning promotions to and demotions from the Working Foreman B classification in the Gas Construction Department. These Grievances were reviewed and resolved or referred pursuant to the attached letter agreement (dated June 15, 1982, signed July 6, 1982), which delineated the "Guidelines for Promotion, Demotion or Retention in the Working Foreman B Classification in the Gas Construction Department."

Grievance 3-163-77-34 (Review Committee File No. 1500):

The Grievant with the most Service, E. Rauser, formerly held the O/A Welder, Apprentice Welder and M.E.O.B. classifications. During the period in question, Bobby Owens, the employee who bypassed Rauser for promotion to Working Foreman B, primarily worked on cathodic protection jobs, joint trench jobs, and jobs which did not require arc welding. Therefore, pursuant to the letter agreement, Rauser will be retroactively upgraded to Working Foreman B from 11/11/76 (the date he was bypassed for promotion to Working Foreman B) until 5/23/77 (the date he eventually was promoted to Working Foreman B). Case closed on this basis.

Grievance 3-487-78-138 (Review Committee File No. 1500):

The Local Investigating Committee agreed to eliminate all but two employees from the Grievance. The two remaining Grievants are L. Darby and V. Dutra. The employee who bypassed them for promotion to Working Foreman B was M. W. Miller. During the period in question, Miller regularly performed his own arc welding on various jobs, at least some of which apparently involved cathodic protection work. Darby was not qualified to perform arc welding, and told the L.I.C. that he knew little about cathodic protection work and that he did not want to weld because of a medical problem (hearing loss). Dutra's supervisors stated that he was not qualified for any Working Foreman B position because Dutra had had problems supervising his crews. Dutra told the L.I.C. that he had had little experience in cathodic protection work. In light of the foregoing, the case is closed without adjustment.

Grievance 3-701-79-190 (Review Committee File No. 1505):

Five employees with less Service than the Grievant were retained as Working Foreman B's when the Grievant, R. Dew, was demoted from Working Foreman B to Street Fitter on 12/4/79. One of the five retained employees supervised one Helper and performed miscellaneous maintenance and repair work at the Emeryville warehouse at the time Dew was demoted. There is nothing in the record which indicates that Dew was unqualified to perform this work. Additionally, it appears that at least one of the four other employees retained in the Working Foreman B classification supervised but performed no craft work at the time Dew was demoted. Therefore, pursuant to the attached letter agreement, and in light of the foregoing, Dew will be retroactively upgraded to Working Foreman B effective 12/4/79 and continuing until 1/21/80, the date he would have been properly demoted had the letter agreement been in effect at that time. Case closed on this basis.

Grievance 3-719-80-4 (Review Committee File No. 1494):

Five employees with less Service than the Grievant were retained as Working Foreman B's when the Grievant, R. Brewer, was demoted from Working Foreman B to Backhoe Operator on 1/14/80. Brewer had held various equipment operating and Working Foreman classifications prior to this demotion. One of the five retained Working Foremen was on industrial disability; two were supervising and performing carpentry work; one was supervising and performing welding work at Contra Costa Power Plant; and one was supervising and performing welding work at the Los Medanos project. Prior to his demotion, the Grievant stated in writing that he was not interested in the Working Foreman B classification if it involved supervising a crew performing carpentry work. Because of this, and pursuant to the attached letter agreement, the case is closed without adjustment.

Grievances 3-766-80-51, 3-767-80-52 and 3-768-80-53 (P-RC 552):

The Grievants, G. Dearing and M. Driscoll, were demoted from Working Foreman B to Backhoe Operator on 3/20/80 and 3/19/80, respectively. Both Grievants have equipment operating backgrounds. Dearing has a Company Service date of 10/3/63; Driscoll has a Company Service date of 10/11/62. At the time of their demotions, six employees with less Service than the Grievants were retained in the Working Foreman B classification. One of the six retained employees was on industrial disability; one was supervising and performing welding work at Contra Costa Power Plant; one was supervising and performing welding work at the Los Medanos project; one was supervising and performing welding work on a 24" gas line project in Newark; one was supervising and performing carpentry work at the Los Medanos project; and one was performing miscellaneous maintenance work in Emeryville. Under the terms of the attached letter agreement, the Grievants could not have displaced the Working Foreman at the power plant or the Working Foremen who were working on the projects. However, the record indicates that neither Grievant should have been disqualified from displacing the Working Foreman in Emeryville. We note that Driscoll, who has more Service than Dearing, was demoted one day prior to Dearing. Therefore, Driscoll will be retroactively upgraded to Working Foreman B effective 3/19/80 and continuing until 3/31/80,

the date he was promoted back to Working Foreman B. Case closed on this basis.

Grievances 3-912-81-16 and 3-913-81-17 (P-RC 660):

The Grievants, G. Dearing and L. Fletcher, both were demoted from Working Foreman B to Backhoe Operator on 1/14/81. Both Grievants have equipment operating backgrounds. Dearing has a Company Service date of 10/3/63; Fletcher has a Company Service date of 7/2/64. Four Working Foreman B's with less Service than Dearing were retained in the Working Foreman B classification at the time the Grievants were demoted; three of the retained Working Foremen also had less Service than Fletcher. One of the retained Working Foremen supervised and performed welding work on jobs involving the installation of regulator stations and meters; one supervised and performed carpentry at the Los Medanos project; one supervised and performed carpentry-related maintenance work at the Emeryville warehouse; and one supervised and performed some welding at Contra Costa Power Plant. The record indicates that the Working Foreman at Contra Costa did not regularly perform welding work at the time of the Grievant's demotion. Therefore, pursuant to the letter agreement, Dearing will be retroactively upgraded to Working Foreman B effective 1/14/81 and continuing until 1/26/81, the date he would have been properly demoted had the letter agreement been in effect at that time. Case closed on this basis.

Grievance 3-935-81-39 (P-RC 672):

M. Driscoll again is the Grievant. He was demoted to Backhoe Operator on 2/25/81. At the time of his demotion, three employees with less Service than the Grievant were retained in the Working Foreman B classification. Two of the retained Working Foremen supervised and performed carpentry work at the Los Medanos project. Therefore, under the terms of the attached letter agreement, the Grievant would not have been able to displace them. With regard to the third retained Working Foreman, the record indicates that he supervised and performed carpentry work on various jobs, one of which was at Contra Costa Power Plant. The Grievant would not have been able to perform this work. This being the case, the Grievance is closed without adjustment.

Grievances 3-1011-81-115 (P-RC 732) and 3-1017-81-121 (P-RC 742):

The record does not contain sufficient information to determine proper resolutions of these cases pursuant to the attached letter agreement. Therefore, the Grievances are returned to the L.I.C. to obtain the information necessary for settlement, and, once the information is obtained, to settle the cases in accordance with the letter agreement.

Grievance 3-1018-81-122 (P-RC 743):

This Grievance complains that the Grievant, Asa McKenzie, a Working Foreman B in promotion-demotion area 5, was forced to elect to be demoted or to displace another Working Foreman in area 9 when Working Foreman B's in area 5 with less Service were not forced to make such a decision. The Grievant elected to displace a Working Foreman in area 9; he was not demoted. Since the Grievant

August 24, 1982

- 4 -

Messrs. Ron Van Dyke
Gene Wallace

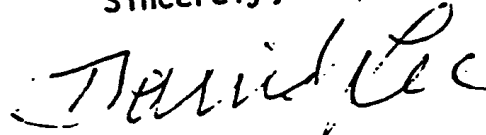
did not suffer any wage reduction, the case is closed without adjustment. However, future demotion/displacement options will be effected in accordance with the attached letter agreement.

Grievances 3-1048-82-7 (P-RC 760), 3-1051-82-10 (P-RC 752), 3-1064-82-23,

The record does not contain sufficient information to determine proper resolutions of these cases pursuant to the attached letter agreement. Therefore, the Grievances are returned to the L.I.C. to obtain the information necessary for settlement, and, once the information is obtained, to settle the cases in accordance with the letter agreement.

If you are in accord with the foregoing, please sign in the space provided below and return the original of this letter to me.

Sincerely,



David Lee
Labor Relations
Supervisor

Union is in accord with the foregoing dispositions of the subject Grievances.

Gene Wallace
Gene Wallace

Ron Van Dyke
Ron Van Dyke

9-7-82
Date

9/7/82
Date

cc: GSBates
LCBeanland
WFunabiki

82-69-PGE
305 (P)
306 (P)
613.1 (P)

PACIFIC GAS AND ELECTRIC COMPANY

PGE + 245 MARKET STREET • SAN FRANCISCO, CALIFORNIA 94106 • (415) 781-4211 • TWX 910-372-6587

June 15, 1982

Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P. O. Box 4790
Walnut Creek, California 94596

Attention: Mr. Jack K. McNally, Business Manager

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- No. 752
- No. 760

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Yours very truly,

PACIFIC GAS AND ELECTRIC COMPANY

By *JW Conright*
Manager of Industrial Relations

The Union is in accord with the foregoing and it agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

July 6, 1982

By *Jack Wehner*
Business Manager