

**REVIEW COMMITTEE****PG and E****IBEW** PACIFIC GAS AND ELECTRIC COMPANY  
245 MARKET STREET, ROOM 444  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 781-4211, EXTENSION 1125**CASE CLOSED  
LOGGED AND FILED**

DEC 14 1987

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

R.W. STALCUP, SECRETARY

**RECEIVED DEC 3 1987**

D.J. BERGMAN, CHAIRMAN

REVIEW COMMITTEE DECISION

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL
- Coast Valleys Division Grievance No. 18-936-85-7  
 Review Committee File No. 1649-87-2

Statement of the Case

The grievance in this case concerns the appropriateness of a Hollister Troubleman performing line switching for a contractor during rainy weather.

Around mid-March, 1985, a contractor was scheduled to work a particular job and a prior request had been made to clear the Watsonville-Hollister 60kv line. The switching was to be done prior to the start of the daily work at about 8:00 a.m. For three successive days, grievant performed the switching as directed. Switching was, of course, required to re-energize the line each day. The information available indicates that on March 26, switching was done in the rain.

Discussion

The Committee reviewed and discussed Letter of Agreement 84-29 which states that the Company's inclement weather practice shall remain unchanged from the practice that was in effect prior to October 1, 1983.

There was discussion concerning whether the inclement weather practice of service employees and T&D crew employees were the same.

The Committee agreed that it would be appropriate to consider what the practice was for Troubleman in Hollister prior to October 1, 1983.

Decision

Review Committee returns this grievance to the Local Investigating Committee and directs that they determine what the inclement weather practice for Troubleman at the Hollister Service Center was prior to October 1, 1983 and

to settle this grievance so that the practice existing prior to that time is continued.

FOR COMPANY:

Rodney J. Maslowski  
Ronald A. Morris  
Robert C. Taylor  
David J. Bergman

By 

Date 11-19-87

FOR UNION:

Patrick S. Nickeson  
Fred H. Pedersen  
Arlis L. Watson  
Roger W. Stalcup

By 

Date 11/19/87

MISSION TRAIL REGION - COAST VALLEYS DIVISION  
LOCAL INVESTIGATING COMMITTEE REPORT  
GRIEVANCE NO. 18-936-85-07

ADDENDUM AND FINAL DISPOSITION

At the direction of the Review Committee, the Local Investigating Committee shall determine what the inclement weather practice for Troublemens at the Hollister Service Center was prior to October 1, 1983 and to settle this grievance so that the practice existing prior to that time is continued. (RC File No. 1649-87-2)

As determined by the facts originally gathered by the LIC, Troublemens in Hollister were not previously required to perform routine switching for contractors during weather conditions which would normally interrupt or delay work by Company personnel.

Accordingly, past practice will guide supervisory determination of when routine switching may be required under circumstances similar to this at issue in this grievance. As a practical matter, any coordination or communication with the contractor required by such circumstances will be the responsibility of the supervisor in charge.

In accordance with the above, the Committee agrees to settle this grievance.

*Kenneth J. Ball* 5-11-88  
-----  
KENNETH BALL, JR., for the Union Date      *Mark Alderson*  
-----  
MARK ALDERSON, for the Company Date

*James R. Schneider* 5-11-88  
-----  
JAMES SCHNEIDER, for the Union Date

## PACIFIC GAS AND ELECTRIC COMPANY

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

July 27, 1984

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

Attention: Mr. Jack McNally, Business Manager

Gentlemen:

Company proposes the following as settlement of our recent disagreements on the broad issue of inclement weather:

1. Company will cancel the letters dated December 7, 1983 issued by the Managers of Electric T&D and Gas Distribution.

2. All grievances filed as a result of these letters and Company's "Inclement Weather Practices" letter dated October 28, 1983 will be considered closed and settled based upon this agreement.

3. Union will withdraw any Unfair Labor Practice charges filed in connection with this matter.

4. The Company's inclement weather practice shall remain unchanged from the practice that was in effect prior to October 1, 1983.

5. Company will provide appropriate rain gear to those employees who normally work in unprotected areas.

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 *M. W. Bright*  
 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

Oct 3, 1984

By *Jack McNally*

# PACIFIC GAS AND ELECTRIC COMPANY

PG&E +

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

I. WAYLAND BONBRIGHT  
MANAGER  
INDUSTRIAL RELATIONS

December 16, 1983

Mr. Jack McNally, Business Manager  
International Brotherhood of  
Electrical Workers, AFL-CIO  
P. O. Box 4790  
Walnut Creek, California 94596

Dear Mr. McNally:

Confirming our discussion on Friday, December 16, 1983, concerning the Company's interpretation of inclement weather practices as described in the Company's letter of October 28, 1983 and the two letters of December 7, 1983, Company proposes to suspend the implementation of these three letters and reinstate local rainy day practices with the understanding that 1) a Joint Productivity Enhancement Committee is established immediately, pursuant to Section 8.8 of the Agreement, to explore and resolve our differences relative to the performance of certain types of work during inclement weather, and 2) all grievances and related complaints arising as a result of the aforementioned letters are held in abeyance.

If you are in agreement, we will take the necessary steps to notify the Operating Departments of the suspension of the implementation of such letters.

Sincerely,



IWB:ml

**PG&E**

**FOR INTRA - COMPANY USES**

From Division or Department    **TRANSMISSION AND DISTRIBUTION -  
ELECTRIC OPERATIONS**

FILE NO.                    **751.2**

RE LETTER OF SUBJECT            **Inclement Weather Practices  
Title 203.**

To Division or Department

December 7, 1983

**DIVISION MANAGERS:**

Since the issuance of the General Office letter of October 28, 1983, on inclement weather practices, a number of questions have been raised that require clarification.

It has always been the Company's policy and practice that any work performed during inclement weather be performed safely for employees and the traveling public. It is not the intent to undertake projects that are not compatible with the weather conditions.

It is in the best interest of the Company and its employees that work be performed productively and efficiently; it is the Supervisor's responsibility to determine when this is the case. "Supervisor" is defined as the "Lead Person" or "Supervisor" at the job site. This person must clearly understand his or her responsibility to assess safe working conditions during inclement weather just as is the case during fair weather. Their decisions should be supported by higher level of supervision, except where an abuse of discretion exists.

To assist the Supervisor in this area, the following is a representative, but not all-inclusive, list of routine Electric Transmission and Distribution Department work that can and should be performed during most weather conditions:

1. Installing/working on energized secondary or services up to 600 volts. [If energized, rubber gloves shall be worn; if de-energized, either rubber or leather gloves should be worn.]
2. Work on de-energized and grounded primary conductors.
3. Framing poles, digging holes, setting poles, reconditioning, changing out or installing transformers, changing out or installing services, "M" tags, working on street lights, pre-arranged, and other routine work.

December 7, 1983

4. Work on underground facilities where tents are available for protecting the work in splice boxes and manholes; rubber gloves are available for doing work energized up to 600 volts.
5. Any other work that the Supervisor in charge determines can be done safely.

Good judgement is the primary condition in applying this Inclement Weather Guide.

F. C. BUCHHOLZ

FCB(1466):EP

cc: EFKaprielian  
EELangley, Jr.  
JSCooper  
JYDeYoung  
HMcKinley  
GSBates  
IWBonbright  
JBStoutamore  
Division Electric Superintendents  
Division Personnel Managers

**PG&E**

**FOR INTRA-COMPANY USES**

From Division or Department **GAS DISTRIBUTION**  
 FILE NO. **751.2**  
 RE LETTER OF  
 SUBJECT **Inclement Weather Practices**  
 To Division or Department

December 7, 1983

**DIVISION MANAGERS:**

Since the issuance of the General Office letter of October 28, 1983 on inclement weather practices, a number of questions have been raised that require clarification.

It has always been the Company's policy and practice that any work performed during inclement weather be performed safely for employees and the traveling public. It is not the intent to undertake projects that are not compatible with the weather conditions. Visibility at the job site and the ability to provide safe work area protection must be key considerations in the decision to work.

It is in the best interest of the Company and the employees that work be performed productively and efficiently; it is the Supervisor's responsibility to determine when this is the case. Supervisor is defined as the Lead Person or Supervisor at the job site. This person must clearly understand his or her responsibility to assess safe working conditions during inclement weather just as is the case during fair weather. Their decisions should be supported by higher level of supervision, except where an abuse of discretion exists.

The following is a representative, but not all inclusive, list to assist a Supervisor in assigning routine work that can and should be performed by Gas Crews and one and two-person units during most weather conditions:

1. Gas leak survey and repair
2. Service cut offs
3. Service replacement by insertion
4. Maintenance of valves, regulators and related equipment
5. Locating and marking facilities
6. Installing lines in open trench that is workable. Trench should not be opened during rain except for emergencies

Good judgment is the primary condition in applying this Inclement Weather Guide.

  
 J. B. STOUTAMORE

JBS:clf  
 cc EBLangley, Jr.      FCBuchholz  
    JYDeYoung         GSBates  
    JSCooper            IWBonbright  
    HMcKinley          Div. Personnel Managers  
    EFKaprielian        Div. Gas Superintendents



**PG&E**

**FOR INTRA - COMPANY USES**

From Division or  
Department

**GAS DISTRIBUTION - GAS OPERATIONS,  
TRANSMISSION AND DISTRIBUTION -  
ELECTRIC OPERATIONS, AND INDUSTRIAL RELATIONS**

FILE NO.

**751.2**

RE LETTER OF  
SUBJECT

**Inclement Weather Practices  
Title 203**

To Division or  
Department

October 28, 1983

**DIVISION MANAGERS:**

During this past winter, it was determined that the Company's interpretation of "Inclement Weather Practices", covered by the Physical Agreement, Title 203, and outlined in Mr. Tilson's attached letter of March 12, 1956, was not being uniformly applied systemwide.

The intent of Title 203 of the Agreement is to provide for the payment of wages for time lost, when in the Supervisor's opinion, the work should not be performed during inclement weather. It is not intended, nor does the Title provide, that employees need not work in the rain, except in cases of emergency. It is the responsibility of the Supervisor in charge to determine whether the work to be performed can be properly done during inclement weather.

Due to the varied field conditions, the severity of the inclement weather and the many types of work that can be performed during these conditions, plus other factors, it is not practical to list all possible inclement weather activities in detail.

To insure a more uniform interpretation and application of Title 203 between Divisions and between Districts within Divisions for Gas and Electric Transmission and Distribution employees, the following interpretation shall be applied systemwide as of this dated letter:

It is the Supervisor's responsibility during inclement weather conditions to determine and properly evaluate all aspects of the employees' safety in conjunction with the work assignment, but once the Supervisor in charge has determined work is to be performed during inclement weather, his decision shall be sufficient reason for employees to work.

It is recommended that all Gas and Electric Transmission and Distribution personnel be made aware of Company's interpretation of Title 203, "Inclement Weather Practices".

NOV 10 1983

PACIFIC GAS AND ELECTRIC COMPANY

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

I. WAYLAND BONBRIGHT  
MANAGER  
INDUSTRIAL RELATIONS

November 9, 1983

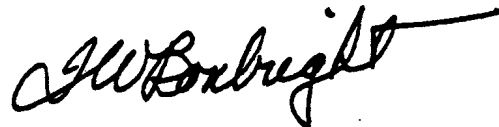
Mr. Jack McNally, Business Manager  
Local Union No. 1245  
International Brotherhood of  
Electrical Workers, AFL-CIO  
P. O. Box 4790  
Walnut Creek, California 94596

Dear Mr. McNally:

Enclosed, for your information, is a copy of a letter to Division Managers on the subject of inclement weather practices. The letter is a joint issue from this department, Electric T&D, and Gas Distribution. It has been our practice to issue some kind of a communication on this subject every eight years or so, going back to Bob Tilson's letter (written by me) in March of 1956.

It is also my understanding that Division Electric Superintendents have been instructed to order sufficient rain gear for crews to accomplish the purposes of the letter. As yet, no decision has been made by the Gas Department, partly because this is a matter under discussion with respect to a Sacramento Division grievance now in the Review Committee.

Sincerely,



IWB:RS  
Encl.

**P · G · and E ·**  
FOR INTER-DEPARTMENT USES

DIVISION OR DEPARTMENT PERSONNEL

FILE NO. 743.5  
RE YOUR LETTER OF  
SUBJECT Joint Grievance  
Committee Meetings

March 12, 1956

**JOINT GRIEVANCE COMMITTEE CHAIRMEN:**

- |                 |                  |
|-----------------|------------------|
| E. C. HERSAM    | E. E. STRAND     |
| C. L. D. HELLER | W. L. HARRIS     |
| V. C. NOVARINO  | A. M. AITON      |
| G. W. TOBEY     | L. B. MASON      |
| C. R. MACHEN    | H. J. STEFANETTI |
| J. V. JEFFREYS  | H. W. HABERKORN  |
| W. T. HANNUM    | F. E. WILSON     |
| W. L. HILL      | C. L. KASTEN     |

Our comments on the enclosed Joint Grievance Committee minutes for January, 1956 are as follows:

EAST BAY DIVISION - Grievance No. 88 - Inclement Weather.

The original intent of Title 203 of the Agreement was to provide for the payment of wages for time lost due to inclement weather. It was not intended, nor does the Title provide, that employees need not work in the rain except in cases of emergency, nor does it provide that we must give a bona fide reason. In short, if the supervisor in charge decides that the work should be performed, that is sufficient reason for employees to work during inclement weather.

SAN JOSE DIVISION - Rotation of Apprentice Fitters.

Upon investigation it was found that the non-rotating apprentices referred to had been in that classification since the time of cast iron pipe, and for one reason or another have been unable to qualify as welders. It is not the intent, however, to promote employees to this classification in the future if they do not have the ability to learn to weld.

R. J. TILSON.

- IWB:MMC  
Encl.  
cc: FEB    EEF    CAW  
    GAF    RWP    HFC  
    LWC    WAL  
    EHF    JLG  
    HCD    ENB  
    PMB    RBT

COPY

PACIFIC GAS AND ELECTRIC COMPANY

COPY

INDUSTRIAL RELATIONS  
741.1

Inclement Weather

FILE COPY  
DO NOT REMOVE!

March 19, 1963

MESSRS. L. H. SMITH	H. A. LEE
F. Y. KRAFT	V. C. REDMAN
K. C. PORTER	L. J. BRUNDIGE
W. D. SKINNER	L. W. BRILLHART
H. F. CARR	G. L. WORKS
T. P. JENKINS	K. B. ANDERSON
E. S. DAY	H. W. HABERKORN
R. L. HAYDEN	

In recent months the Review Committee has received grievances concerning work performed during periods of inclement weather. This subject has also been the matter of discussion between the Company and the Union both during the last negotiating session and in past years. Various statements have been quoted and no doubt misquoted with respect to the Company's interpretation of Title 203 on this subject. Therefore, to insure that Company's intent is understood, the following information, which was issued from this office in 1950, is being re-issued at this time:

"We believe that the Inclement Weather Practice provisions as enumerated in the contract are generally being misconstrued owing to the injection therein of interpretations relating to emergency work. While the language as expressed in...the contract indicates that emergency calls shall be answered by employees who are held pending such calls, it also clearly indicates that the reference is made to employees who report for work on a work day but are not required (by Company) to work in the field because of inclement weather.

"There is no expression in such provision which limits the Company in the assignment of work as required. Requirements must be determined by the supervisor in charge. However, it is his responsibility in making decisions as to whether employees shall work or not, to properly evaluate the consequences of requiring them to work under conditions which may be adverse to their health and safety."

/s/ V. J. THOMPSON

LVBrown:RS  
cc: HPBraun  
EHFisher  
Division Personnel Managers  
and Supervisors

COPY  
ociu-29  
afl-cio  
42666do