

REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY 215 MARKET STREET, ROOM 916 SAN FRANCISCO, CALIFORNIA 94106 (415) 973-1125

D.J. BERGMAN, CHAIRMAN

□ DECISION

☐ LETTER DECISION

☐ PRE-REVIEW REFERRAL

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO LOCAL UNION 1245, I.B.E.W. PO. BOX 4790 WALNUT CREEK, CALIFORNIA 94596 (415) 933-6060 R.W. STALCUP, SECRETARY

General Construction Grievance No. 3-2131-90-76 Review Committee File 1725-91-13

November 26, 1991

BYRON TOMLINSON, Company Member G.C. Joint Grievance Committee

RON VAN DYKE, Union Member G.C. Joint Grievance Committee

The Review Committee has discussed this case and has agreed to return it to the General Construction Joint Grievance Committee for further discussion and resolution. The issue raised is one better addressed at the Joint Grievance Committee step.

This case is removed from the Review Committee agenda.

DAVID J. BERGMAN, Chairman

Review Committee

ROGER V. STALCUP, Secretary
Review Committee

MAShort(223-1123):nj

cc: Review Committee Members

R. Scott Irby

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MINUTES OF THE GENERAL CONSTRUCTION JOINT GRIEVANCE COMMITTEE December 19, 1991

Committee Members, IBEW: Barry Humphrey - Chairman

Al Calleros Lynda Holloway Dan Robertson

Hvdro Gas Station Line

Committee Members, PG&E: Byron Tomlinson - Chairman

Dick Baur for Ernie Wong

Ken Lewis

Dan Pope for Bob Kohne Jim Manning

Charles Rickenbacher

Electric Gas

Substation Hydro Station Fleet

Representing PG&E:

John Moffat - Labor Relations Supervisor

Sandy Edens - Senior Labor Relations Representative

Representing Local 1245,

IBEW: Ron Van Dyke - Business Rep

Southern Area Gene Wallace - Business Rep Northern Area Joel Ellioff - Business Rep Central Area

Guest:

Joe Cerruti - Area Human Resource Manager

The minutes of the November 21, 1991 meeting had no corrections.

Correspondence

- 1. Review Committee Decision for File No. 1725, ENCON Grievance No. 3-2131-90-76, dated November 26, 1991.
- 2. Letter dated November 22, 1991 from Jack McNally by Byron Tomlinson advising that Blair Zimmerman is a Shop Steward.

Grievance No. 3-2118-90-63 (Gas) - Failure to Return a Backhoe Operator to Work

The Company did not return Grievant to work until more than three weeks after Grievant brought in a medical release to return to work. Company was unable to schedule a Panel Physician appointment until that time.

Union is of the opinion that the grievant should have been placed on Workers' Compensation. Company stated that this is an issue that should be addressed by the WCAB and not the grievance process. Union also made it clear that in the initial Panel Physician visit that it was not in agreement with sending the MEOB position description nor the 150 lb. weight requirement. Union cited that there was not a good working relationship between the General Foreman and the Grievant.

Company pointed out that Grievant was released for work March 1, but did not submit the release to the Company until April 18. Union contends that Company should have taken action at that time and since it did not, it should pay the grievant for the time between the release and his actual return to work.

Company agreed to pay Grievant for April 18, 1991 through May 14, 1991 due to the lengthy delay in the Panel Physician appointment.

This case is considered closed.

Grievance No. 2131-90-76 (Gas) - Wearing Hard Hat While on Backhoe Referred Back to JGC by Review Committee /725-9/-/3

Company agreed that the Grievant does not have to wear a hard hat while operating a backhoe, but must wear one upon exiting cage.

Union asked overall ENCON policy for wearing hard hats while operating backhoes. Company stated that this should be an individual choice by Supervisor and based on the employee. For example, an employee who does not put on their hard hat upon leaving the cage, may be required to wear it all times.

Union is in agreement with this individualistic approach. This case is considered closed.

Grievance No. 3-2181-91-6 (Gas) - Oral Reminder Issued to a Tech Sub "A"

Report not complete. Referred to the Pre-Review Committee to be recalled by the Joint Grievance Committee.

Grievance No. 3-2202-91-27 (Station) - Differential Pay Between Subforeman and Working Foreman

Report not complete. Referred to Pre-Review Committee to be recalled by the Joint Grievance Committee.

<u>Grievance No. 3-2220-91-45 (Station) - Failure to Award Regular Status to an I&C Tech</u>

Report not complete. Referred to Pre-Review Committee to be recalled by the Joint Grievance Committee.

<u>Grievance No. 3-2222-91-47 (Gas) - Use of Contract Employees to Supplement the Workforce</u>

Union opined that joint-employer relationships exist in all of the contracts included in the grievance. Company maintains its right to contract.

This case is referred to the Pre-Review Committee.