

205.1; 205.13; 608: Union claims Co. is circumventing intent of Agreement by continuously filling jobs by appointment to Provisional Journeyman Water System Repairman, but never filling and Appr. position.



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
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CASE CLOSED  
FILED & LOGGED

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(510) 933-6060  
R.W. STALCUP, SECRETARY

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Stockton Division Grievance No. STK-95-02  
Review Committee Case No. 1801

JODEANE FISCHER  
Company Member  
Local Investigating Comity

GARY HUGHES  
Union Member  
Local Investigating Committee

### Subject of the Grievance:

This case concerns the filling of two Water Systems Repairman positions in Angel's Camp pursuant to Section 205.13 of the Physical Agreement.

### Facts of the Case:

Two vacancy requests were submitted to the Centralized Job Bidding Team in December 1994. A bid list with a control date of December 16, 1994 was established. It was agreed that the bid list was appropriately exhausted and the vacancies closed as No Qualified Bidders. At that point, Company had 60 days to fill the vacancies by appointment under the provisions of Section 205.13.

Company appointed a Utility Worker-Water and a Water Systems Operator to the vacancies on a Provisional basis. The appointees were required to complete the Appr. Water Systems Repairman training which is a thirty-six month program.

Even though there was no Apprentice Water Systems Repairman position established at Angel's Camp and there never has been, there was a prebid code and a list of bidders for the Apprentice classification. The grievant, who is a Water Systems Operator and is senior to both of the appointees, had maintained a bid on file to the Apprentice classification for a number of years. The grievant was a "B" status bidder to the apprentice position. He and more than 50 other employees had current pre-bids on file for Apprentice Water Systems Repairman at Angel's Camp. The appointees did not have bids on file for the apprentice classification. Both the Water Systems Operator and the Utility Worker - Water are considered next lower to Apprentice - "b" or "c" bidders depending on if they are in or out of the bidding unit. In this case, the grievant as well as the two employees appointed to Provisional Water Systems Repairman were already at the Angles Camp headquarters and

has never filled an Apprentice WSR position. At the time of this grievance, there were five journeyman positions filled at the headquarters, including the two positions disputed in this case. None of the other journeymen at the headquarters have been through the apprentice training program. It appears all three were also appointed on a provisional basis. Two previously were Ditch Tenders and the other was a Truck Driver. As such, none were in the Line of Progression and none were either "B" or "C" status bidders to the journeyman position. Union opined that there was a practice at the Angles Camp headquarters of circumventing the purpose and intent of the training program and a frustration of the bidding process when all journeymen arrived in the classification via provisional appointment pursuant to Section 205.13 of the Agreement.

**DECISION:**

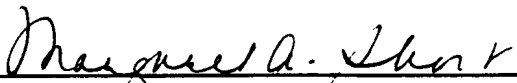
The Review Committee notes that while there is no specific language in the Agreement which dictates the circumstances under which an apprentice position is to be filled rather than a journeyman position, recognizing that there were no qualified bidders for the journeyman position and that there were no candidates for appointment pursuant to Section 205.13 that were minimally qualified, it may have been a better decision to reclassify the vacancies to Apprentices and fill from the lengthy list of qualified bidders.

In an effort to resolve this case and in the spirit of fairness and partnership, the Review Committee was able to influence the Water Department management to appoint the grievant to a Provisional Water Systems Repairman position at Sonora effective with the signing of this decision. A training plan will be prepared and submitted to the Joint Apprenticeship Committee for review and approval.

This case is closed on the basis of the foregoing.

**FOR THE COMPANY:**

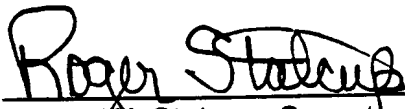
Bill Blastic  
Rod Maslowski  
Bill McLoughlin

  
\_\_\_\_\_  
Margaret A. Short, Chairman  
Review Committee

12/23/96

**FOR THE UNION:**

Willie Boezak  
Jim Lynn  
Sherrick Slattery

  
\_\_\_\_\_  
Roger W. Stalcup, Secretary  
Review Committee

12/23/96