



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4282

RECEIVED by LU 1245
JUNE 15, 2001
**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
(925) 933-6060
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

**Review Committee No. 11148
ISTS – Central Coast - Salinas**

Paula Jean
Company Member
Local Investigating Committee

Bill Brill
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the installation of phone car kits in Company vehicles by a contractor. Union alleges Telecommunications Technicians should have performed the work.

Facts of the Case

In 1998, Company initiated a program (PG&E Wireless Project) to replace existing cellular telephones with PCS phones that could provide both voice and paging services at a substantially lower cost. Company has historically contracted with vendors for installation of phone car kits and removal of any existing car kit, in order to install the new equipment.

Union cited a project where more than 10 years ago Telecommunications Technicians installed a device in Company vehicles that allowed employees to place telephone calls from their vehicle through a mobile operator.

Discussion

The Committee reviewed Arbitration Decision No. 228 that states in part:

“The parties agree that maintenance contracts, service contracts, repair contracts, and any agreements with outside vendors to provide maintenance and repair services normally performed by the bargaining unit other than original warranties included in the base price of a piece of equipment constitute contracting within the meaning of Letter Agreement 88-104 and Section 207.2 of the Physical Agreement.”

Often with the initial purchase of equipment, installation is included in the purchase price and warranty protection is tied to the manufacturer or a recommended contractor providing installation and maintenance and repair service to the equipment. The above decision allows Company to enter such contracts without being in violation of the labor agreement.

Decision

The Review Committee agrees that no contractual violation occurred in that the cellular phone car kits bought by the company have a purchase agreement to provide warranty protection for installation.

Further, the Committee agreed that transferring phone car kits from one Company vehicle to another is bargaining unit work which will either be assigned to the appropriate classification or contracted consistent with the provisions of Exhibit XVI.

This case is considered closed based on the above understanding.

For the Company:

Margaret A. Short
Ernie Boutte
Dave Morris
Malia Wolf

For the Union:

Sam Tamimi
William R. Bouzek
Ed Dwyer
Sherrick A. Slattery

By: Margaret Short

By: Salim A. Tamimi

Date: 6/14/01

Date: 6-14-01