



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
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RECEIVED by LU 1245
October 22, 2004

**CASE CLOSED
FILED & LOGGED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Review Committee No. 12320 California Gas Transmission Maintenance and Operations - Topock

Kris Picton
Company Member
Local Investigating Committee

Mike Grill
Union Member
Local Investigating Committee

Subject of the Grievance

This grievance alleges contracting of bargaining unit work in violation of the union friendly, prevailing wage, optimum overtime, and reporting requirements of Exhibit XVI.

Facts of the Case

Company executed a contract with Laron Engineering to fabricate and install eight new aqua towers including replacing the water supply lines; drain lines, and air ducting connected to the towers.

The towers were fabricated off site, delivered and installed by Laron. The Shop Steward provided wage rates for the Laron Foreman and his crew. These figures were not supported by documentation. Union alleged the rates, if accurate, are below the prevailing rates for California laborers.

The employees at Topock were working about 18% overtime when the Laron contract was let and the sign-up sheet was available. Little, if any, overtime was worked by Laron.

Bargaining unit employees were involved in early stages of the tower replacement project. They removed two towers and relocated one. Another bargaining unit employee was assigned to oversee the contractor work. He operated the boom truck and hoist.

Union agrees that fabrication of the towers is not work normally performed. Company agrees that maintenance of installed aqua towers is bargaining unit work. The disputed work is the removing of old towers and installing of new towers.

This contract was executed prior to the provisions of Exhibit XVI becoming effective.

Discussion

Company does not believe the bargaining unit normally performs the grieved work. Union cited two occasions, once in 1977 and again in 1987 when the employees at Topock were engaged in the rebuilding or refurbishing of the aqua towers.

Decision

This case was referred to the Exhibit XVI California Gas Transmission Subcommittee. The subcommittee agreed that installation and removal of aqua towers is work normally performed by bargaining unit employees, however, the fabrication of aqua towers is not.

As this contract was let before the provisions of Exhibit XVI became effective, this case is closed without adjustment.

For the Company:

For the Union:

Margaret A. Short
Bob Lipscomb
Dave Morris
Toby Tyler

Sam Tamimi
William R. Bouzek
Louis Mennel
Sherrick A. Slattery

By: Margaret Short

By: T. A. Slattery

Date: 10/21/04

Date: 10-21-04