



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

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

REVIEW COMMITTEE

RECEIVED by LU 1245
December 6, 2004

**CASE CLOSED
FILED & LOGGED**

IBEW



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

Review Committee File Numbers

13111, 13625 OM&C – Electric T&D – Bakersfield
13142 OM&C – Electric T&D – Richmond
13792 OM&C – Electric T&D – Willits/Ukiah
13793 OM&C – Electric T&D – Oakland/Richmond
13840 OM&C – Electric T&D – San Francisco
13908 OM&C – Electric T&D – Buellton
13915 OM&C – Electric T&D – Fresno
13956 OM&C – Electric T&D – Hollister
14325 OM&C – GC Line – Rocklin/Chico
14309 OM&C – Transmission Line – Sacramento

Jeff Neeley
Pat Medrano
Maggie Brown
Vern Wittman
Melanie Curry
Monica Oakes
Paula Jean
Brenda Marks
Mary Cogan
Company Members
Local Investigating Committee

Ed Dwyer
Lula Washington
Rich Cowart
Landis Martilla
Dan Lockwood
Ed Caruso
Mike Haentjens
Roy Runnings
Darryl Norris
Union Members
Local Investigating Committee

These grievances all concern contracted work, mostly pole replacement, allegedly without considering optimum overtime. Most of the provisions of Exhibit XVI were effective July 1, 2000; and all provisions became effective in December 2000 for most departments. However, based on the resolution of Business Manager's Grievance 01-01, Items 5 & 6 of the Departmental Contracting Out provisions of Exhibit XVI were not operative in Electric T&D until such time as the department reached the pre-Exhibit XVI floor number of 2447. This headcount was achieved in October 2003, at which time the full provisions of Exhibit XVI became effective in Electric T&D.

In an effort to resolve grievances, the parties agreed to close these cases without adjustment since most of the contracted services were Hiring Hall, IBEW Outside Line, or IBEW signatory contractors. There are precedent level contracting out decisions under Section 207.2 that provided for the payment of dues to Union. These decisions provided guidance for this decision.

Electric T&D Exhibit XVI grievances filed after October 2003 will be discussed by the Review Committee for determination of compliance with or violation of Exhibit XVI. If the Review Committee is unable to reach agreement, the issues will be referred to arbitration for the next available scheduled hearing date, January 24, 2005.

Decision

These cases are closed without adjustment and without prejudice to the position of either party.

For the Company:

Margaret A. Short
Bob Lipscomb
Dave Morris
Toby Tyler

By: Margaret Short

Date: 12/3/04

For the Union:

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

By: Sam A. Tamimi

Date: 12-3-04