



# REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
MAIL CODE N2Z  
P.O. BOX 770000  
SAN FRANCISCO, CA 94177  
(530) 613-3203

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

RECEIVED by LU 1245  
December 18, 2013  
  
**CASE CLOSED  
FILED & LOGGED**

DOUG VEADER, CHAIRMAN

F. E. (ED) DWYER Jr, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

## Review Committee No. 21984 Electric Operations – M&C – Cupertino

Yvonne Bradley  
Company Member  
Local Investigating Committee

Pat Duffy  
Union Member  
Local Investigating Committee

### Subject of the Grievance

This grievance concerns the cancellation of a pre-arranged overtime assignment of a Lineman to monitor a Company generator. The assignment was cancelled as the Company opted instead to use a third party security guard to watch the generator.

### Facts of the Case

A Company generator was utilized to supply power to a commercial customer. A crew installed the generator on a Tuesday. The generator was monitored by the grievant that night and by an Electric Crew Foreman on the following night. The grievant was scheduled to monitor the generator on Thursday night, but was notified at 1:30 pm that the prearranged overtime assignment for that night was cancelled. The Company utilized a third party security guard Thursday night from 7:00 pm to 7:00 am. According to the Local Investigating Committee Report, the guard was instructed to watch the generator and call the supervisor if there were any issues.

### Discussion

The Union argued that the Company violated the Agreement by cancelling a pre-arranged overtime assignment and instead utilizing a contractor to perform the work. Additionally, the Company violated its own procedures regarding the safe operation of generators (TD 2007P-01JA09). Step 3 of that procedure requires that during operation a "Qualified Person" must monitor the generator at all times to ensure public safety, including the regular monitoring of fuel level, instrument panel, and voltage and load.

The Company responded that whether the Company follows an internal policy is not a basis for determining whether there is a contractual violation. Company policies are not negotiated agreements. While the Company believes it has the right to decide whether or not to monitor a generator, there is no plan to change the approach of using Qualified Persons to do so.

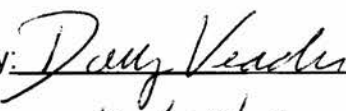
Decision

The Committee agreed that the monitoring of generators as described in Procedure TD 2007P-01JA09 is considered as bargaining unit work which should be performed by a Qualified Person, whether a Company employee or a contractor as provided for in Letter of Agreement 09-41-PGE (Exhibit XVI). The Committee also noted that since this was a prearranged assignment, any concerns over equitable distribution should be evaluated at the end of the year.

The Committee agrees to close this grievance on the basis of the above understandings.

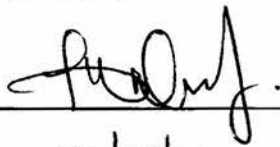
**For the Company:**

Doug Veader  
Laura Sellheim  
Rod Williams  
Tanya Moniz-Witten

By:   
Date: 12/18/13

**For the Union:**

F.E. (Ed) Dwyer Jr.  
Jim Brager  
John Blaylock  
Karen Russell

By:   
Date: 12/18/13