



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
375 N. WIGET LANE, SUITE 130
WALNUT CREEK, CA 94598
(530) 246-6430

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

- ROBIN WIX, CHAIRMAN
- DECISION
 - LETTER DECISION
 - PRE-REVIEW REFERRAL

F.E. (ED) DWYER Jr, SECRETARY

Review Committee Number 22276 Electric Operations – Maintenance & Construction – Bakersfield

Monica Oakes
Company Member
Local Investigating Committee

Dave Sankey
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns an alleged Title 212 bypass for an emergency call-out at the Bakersfield headquarters.

Facts of the Case

On Tuesday, September 17, 2013, a Troublemaker requested a crew be called to make necessary repairs to a bad underground transformer in Bakersfield. The on-call supervisor requested that Dispatch utilize ARCOS to call out an Electric Crew Foreman, Lineman, Apprentice Lineman, and an ESC Estimator. Additionally, the on-call supervisor requested that ARCOS “chain” the yards in order to get the requested crew, therefore ARCOS was set-up to call the identified classifications in Bakersfield, then Wasco, then Taft as needed.

The Bakersfield Apprentice Linemen were out of town for training and none were signed on the 212 list. ARCOS called all Bakersfield Apprentice Lineman who were signed on the annual list however none responded due to their being out of town. ARCOS then rolled to the Wasco headquarters and contacted the #1 Apprentice Lineman on the 212 list without response, followed by the #2 Apprentice Lineman who accepted the call-out. The Apprentice Lineman drove from his home in Bakersfield to the Wasco yard to retrieve his tools and then back to Bakersfield to report for the emergency job.

Discussion

The Committee reviewed PRC 896 and PRC 1351. PRC 896 states “The committee agreed that both classifications have performed this work in the past; however, the Company has the right to determine which classification is necessary and will be used to perform work.” and “Where the work to be performed is work that is common to more than one classification, the Agreement does not provide exclusive rights for one classification in an emergency call-out situation.” In PRC 1351 the Pre-Review Committee determined “...the provisions of Titles 208 and 212 must be followed in the assignment of overtime. Therefore, Salinas maintenance employees are entitled to first crack at the overtime in their headquarters service territory.”

The Union argued that PRC 896, followed by PRC 1351 outlines the Company’s right to determine the classification, however also demonstrates that where a task is “common duty”, the Company is obligated to utilize qualified employees who are signed on the 212 list prior to using personnel from another headquarters. In this case, the Company had the right to request Apprentice Linemen as part of the crew, but once the 212 list was exhausted for Apprentice Lineman, the Company should have called out the signed Lineman from the headquarters, before obtaining an Apprentice Lineman from another headquarters. The Union also stated that it would have been prudent and cost effective to use Lineman on the 212 list in Bakersfield and recommends reviewing the 212 list and ARCOS when ‘chaining’ headquarters.

The Company agreed that PRC 896 clearly demonstrates the Company’s right to determine the classification to be used, however disagrees that PRC 1351 requires the Company to utilize other classifications at the headquarters if the classification determined to be required is unavailable. The Company argued that PRC 1351 merely outlines the Company’s obligation to utilize the 212 list to obtain employees for emergency overtime within the determined classification. The Company agreed using other signed qualified classifications at the headquarters would be one of the many options available once the 212 list is exhausted for the identified required classification. The Company is under no obligation to exhaust resources in all classifications with common duty at the headquarters before going to another headquarters.

Decision

The Committee agreed that a second Lineman could have been called from the Bakersfield 212 list however, there was no contractual obligation to do so. The Committee found no violation and this case is closed without adjustment.

For the Company:

Robin Wix
Laura Sellheim
Rod Williams
Tanya Moniz-Witten

Robin Wix 7-23-14
Robin Wix, Chairman Date
Review Committee

For the Union:

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

[Signature] 7/23/14
F.E. (Ed) Dwyer Jr, Secretary Date
Review Committee