



REVIEW COMMITTEE

IBEW



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LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
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CLAIRE IANDOLI, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Review Committee Numbers 23769 & 23797 General Services – Materials – Marysville

Carlos Cortes
Company Member
Local Investigating Committee

Dave Sankey
Union Member
Local Investigating Committee

Subject of the Grievance

This case involves two grievances. The first grievance (#23769) was rejected by the Company as untimely because it was filed more than 30 calendar days after the action complained of or the date the employee became aware of the incident. The second grievance (#23797) was filed based upon a continuing pay violation which alleged that Grievant had been placed at the incorrect wage step when he moved from a Hiring Hall (HH) employee to a regular position as a Materials Handler pursuant to Letter of Agreement R3-00-31-PGE.

Facts of the Case

Grievant worked for the Hiring Hall as a Materials Handler from 9/17/13 until he was laid off on 9/13/14. The Grievant had a gap in employment of 15 months before he was hired into a regular Materials Handler position on 12/14/15. Grievant became aware of his wage rate on 12/14/15 when he was hired into a regular position as a Materials Handler. He did not file a grievance within 30 days of his placement on the wage scale.

LA R3-00-31 was agreed to by the parties to address the conversion of employees from Hiring Hall Meter Readers to regular positions. LA R3-00-31 provides in pertinent part, "Recognizing the skill levels of current Hiring Hall Meter Readers, the Company is proposing to hire individuals who have prior hiring hall experience in excess of six months based upon the most recent period of employment be credited with such time worked and placed at the appropriate wage step. This agreement will apply to all individuals who are hired into regular bargaining unit positions in which they have prior hiring hall experience."

Discussion

The Review Committee reviewed Letter Agreement R3-00-31, the general bargaining table settlement from 1999, other relevant agreements and Company/Union positions regarding the language and intent of LA R3-00-31.

R3-00-31 was initially reached for the conversion of current Hiring Hall Meter Readers into regular status Meter Reader positions. Further, the agreement also applied to other Hiring Hall employees who were subsequently hired into regular bargaining unit positions under the same terms of "this agreement".

Decision

The Committee agrees to the following: A current Hiring Hall employee, with HH experience in excess of six months, who is offered and accepts a regular status position based upon the most recent period of employment in the same classification, is entitled to the same wage placement treatment as outlined in LA R3-00-31.

Consistent with other decisions, the Committee also agreed that it is not the intent of this decision to lay off a hiring hall employee for the purposes of denying them the wage placement provisions of R3-00-31.

Based on this decision, the Grievant was not a current Hiring Hall employee when he was offered and accepted the regular status position, as such, this case is settled and closed without adjustment.

1st Claire Iandoli 05/15/2019

Claire Iandoli, Chairperson Date
Review Committee

Kit Stice 05/15/2019

Kit Stice, Secretary Date
Review Committee