



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
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INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 2547  
VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

KATHY LEDBETTER, CHAIRPERSON

DAVE SANKEY, SECRETARY

**Review Committee No. 24239  
Arbitration No. 382  
Electric Operations – Fresno**

Kathy Ledbetter  
Company Member  
Local Investigating Committee

Dave Sankey  
Union Member  
Local Investigating Committee

### **Subject of the Grievance**

This Business Manager Grievance concerns whether or not the Electric W&R Dispatcher classifications should be included in the DOT Drug and Alcohol Testing Program.

### **Facts of the Case**

The parties reached agreement most recently in Letter Agreement No. 04-16 on the administrative procedures of the Company's DOT testing program.

In 2017, the Company determined that the IBEW Electric W&R Dispatch classifications must be included in the above DOT Testing program given that they have been designated to provide back-up support for Gas Dispatch job functions that are covered by the requirements of the U.S. Department of Transportation (DOT) - Pipeline and Hazardous Materials Safety Administration's (PHMSA) Drug and Alcohol Testing regulations.

### **Discussion**

The Company maintained that the Electric Dispatch classifications provide back up to Gas Dispatch when emergency or technology issues occur. As these classifications are available to perform work that is covered by the provisions of the PHMSA regulations, their inclusion in the Company's DOT Drug and Alcohol Testing program is required.

The Union maintained that this work is de minimis in nature, that Electric Dispatch has never actually been assigned to perform these duties to the Union's knowledge and does not warrant inclusion in the Company DOT Testing program. Further, the Company is obligated to bargain

this requirement and did not do so when negotiating the Line of Progression for these classifications in 2012.

### **Decision**

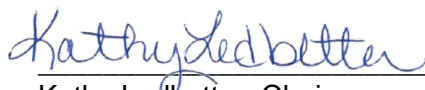
The parties did not reach agreement at the Review Committee. However, prior to Arbitration the parties agreed to have the case reviewed and interpreted by PHMSA and that the parties would abide by that interpretation.

PHMSA determined that the Electric W&R Dispatch classifications are covered by the Drug and Alcohol Testing requirements of the PHMSA regulations because they have been designated to provide back up to the Gas Dispatch employees for job functions that are covered by the regulations.

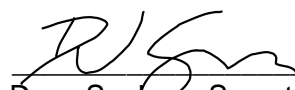
Based on the above review, the classifications will remain in the Company's DOT Drug and Alcohol Testing program under the provisions of LA 04-16.

This case is to be considered closed based on the above.

#### **For the Company:**

 06/23/2023  
\_\_\_\_\_  
Kathy Ledbetter, Chairperson      Date  
Review Committee

#### **For the Union:**

 06/05/2023  
\_\_\_\_\_  
Dave Sankey, Secretary      Date  
Review Committee