



## 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.  
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ROBIN WIX, CHAIRPERSON

KIT STICE, SECRETARY

### **Review Committee Number 24760 Gas Operations – GPOM – Modesto**

Frances Wilder-Davis  
Company Member  
Local Investigating Committee

Ryan Skelton  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the rejection of a Sr. Maintenance Assistant bid to a Maintenance Assistant I position.

#### Facts of the Case

The grievant was a Sr. Maintenance Assistant I within the Gas Pipeline Operations & Maintenance Department headquartered at the Modesto Service Center.

The Senior Maintenance Assistant is the highest classification in the Maintenance Assistant Line of Progression (LOP) as outlined in Letter Agreement 14-40-PGE. The LOP consists of three classifications, Maintenance Assistant I (MAI), Maintenance Assistant II (MAII), and Sr. Maintenance Assistant (SMA). Each classification has auto-promotion to the next higher classification as follows:

- A Maintenance Assistant I will automatically progress to a Maintenance Assistant II upon completion of 18 months in rate or hold top step for 6 months.
- A Maintenance Assistant II will automatically progress to Senior Maintenance Assistant upon completion of skill proficiency examination and 6 months at top step.

The grievant submitted bid transfers to multiple Maintenance Assistant I vacancies at various headquarters which were rejected by the Central Job Bidding Team (CJBT). It has been a long-standing practice to reject bids and transfer requests of employees who are in auto-promotive LOP if they are bidding to a classification that is lower in the LOP.

#### Discussion

The Company argued that CJBT's procedures for bypassing employees in such circumstances is a long-standing past practice and protects employees' bid rights while supporting the Company's ability to manage the workforce. The Company noted that based on time in the LOP, an employee transferring to a lower posted position would result in the employee being promoted back to the higher classification immediately following reporting to the new headquarters. Such action forces the Company to absorb the higher wage cost associated with the SMA when the current need at the headquarters was for a MAI. Furthermore, it

would negate the appropriate Title 205 filling of the position and other employee's bid rights. LA 87-29 states in part:

1. It is not the intent of the parties that the provisions of Title 18 or 19 and 205 or 206 be circumvented when an employee is placed into a position without reference to those Titles.

The SMA transfer to the MAI vacancy and subsequent automatic reclassification to the SMA is not a result of an SMA vacancy being filled and therefore circumvents the bid rights of others under Title 205.

The Union argued that the arbitrary procedure created by the Company to bypass employees in a higher classification is a violation of Section 205.5(d)(1) of the Physical Agreement, and employees in such circumstances should be afforded bid/transfer offers to the lower classification vacancies at other headquarters. Additionally, this procedure limits employee's in the higher classification(s) from being able to transfer within their LOP to another headquarters as the Company usually posts the MAI classification when a vacancy exists.

#### Decision

The Review Committee learned that the grievant accepted a bid to an Apprentice Gas Control Technician on 8/2/2019. Based on the grievant's change of position since the filing of this grievance, the grievant's bypass to a Maintenance Assistant I is now moot. This case is closed without adjustment and without prejudice or precedence to either parties' position.

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

Robin Wix      1-2-20  
Robin Wix, Chairperson      Date  
Review Committee

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

Kit Stice      01.02.2020  
Kit Stice, Secretary      Date  
Review Committee