



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
LABOR RELATIONS DEPARTMENT  
376 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

MATHEW LEVY, CHAIRMAN  
☐ DECISION  
☐ LETTER DECISION  
☐ PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

### **Pre-Review Committee Number 23566 Gas- Field Services – Marysville**

Curtis Hoard  
Company Member  
Local Investigating Committee

Dave Sankey  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the demotion of a Gas Service Representative (GSR) to a Utility Gas Service Representative (UGSR) at the Marysville headquarters after not complying with the residency requirements under Title 3.5.

#### Facts of the Case

The Grievant accepted a GSR assignment in the Marysville headquarters on 5/26/15. A Job Award Acknowledgement was generated acknowledging the Grievant's acceptance of the GSR position, which clearly states the requirements of residency as a service employee and the length of time to become compliant. On 6/8/2015 the Grievant signed the 3.5 residency requirement, which clearly states the ramifications for not adhering to these requirements. On 1/04/2016 the grievant was demoted to a UGSR for failing to comply with the residency requirements required by service employees.

While both parties do not dispute that the grievant had proper notice of his requirements as a service employee under Title 3.5, nor is there a dispute that the grievant did not meet these requirements within the prescribed timeframe. The Union opined that the demotion of the Grievant was a clear case of disparate treatment. The Union argued that other service employees in the department and other Lines of Business that live outside of the 30 minutes requirement had not been demoted and thus the Company acted with disparate treatment to the grievant in this case.

#### Discussion

The parties have discussed the appropriate application of the Title 3.5 as it pertains to service employees at length. The Committee recognized that a residency requirement for service employees is still a necessity for providing safe and reliable utility service to our customers. The Committee also discussed at length that the misapplication of Title 3.5 has been an ongoing issue. Furthermore, there have been changes to the business objectives of the different Line of Business that have

service employees and the obvious changes to urban sprawl and overall congestion in the communities that the Company supports by their service employees.

Decision

The Committee agrees that the demotion of the grievant to UGSR was for just cause under Title 3.5. The grievant will be promoted back to a GSR with no back pay and given six months to comply with his residency as defined by Title 3.5. This decision is non-precedent setting and without prejudice to the positions of either party.

Furthermore, the Committee is referring the residency requirements defined in Title 3.5 to an ad-hoc Committee for review and consideration of applicable updates to the definition of the residency requirements.

Claire Ier                      4/19/17  
Claire Iandoli, Chairman                      Date  
Review Committee

Kit Stice                      4/19/17  
Kit Stice, Secretary                      Date  
Review Committee