



REVIEW COMMITTEE

IBEW



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CLAIRE IANDOLI, CHAIRPERSON

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- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

Review Committee Number 22975 Nuclear Power Generation–Maintenance– DCPP

Micah Van Bogelen
Company Member
Local Investigating Committee

Pat Duffy
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns ten (10) Apprentices who were hired in the Maintenance Department of Diablo Canyon Power Plant (DCPP) in early 2015. Two (2) of the Apprentices were internal URA appointments and eight (8) were external hires. The Company did not consider the bids of "D bidders" on file who had not completed one year of service as a Plant Utility Worker.

Facts of the Case

DCPP hired 10 Apprentices for its Mechanical Maintenance Department in early 2015. Of the 10 positions, two were internal URA appointments and 8 were external hires. The Company did not consider the bids of D bidders on file who had not completed one year of service as a Plant Utility Worker.

The parties agreed this grievance was filed in order to review the hiring process for the future, not to change any hiring decisions already made.

Letter of Agreement (LOA) 06-44 deals with the Apprentice Mechanical Rigger training program at DCPP. According to the program of instruction for Apprentice Mechanic-Riggers, "Candidates will meet the following ...applicable union bidding specifications as dictated by the Division Master Apprenticeship Agreement... Completion of one year as a Plant Utility Worker."

LOA 07-48 deals with the Apprentice Electrician training program at DCPP. According to the program of instruction for Apprentice Electricians "Candidates will meet the following ...applicable union bidding specifications as dictated by the Division Master Apprenticeship Agreement... Completion of one year as a Plant Utility Worker."

LOA 07-49 deals with the Apprentice Machinist training program in Power Generation at DCP. According to the program of instruction for Apprentice Machinists "Candidates will meet the following ...applicable union bidding specifications as dictated by the Division Master Apprenticeship Agreement...Completion of one year as a Plant Utility Worker."

LOA 10-19 provided revisions and replaced the Apprentice Mechanical Rigger training program as outlined in LOA 06-44 but did not change the program of instruction requirement of "Completion of one year as a Plant Utility Worker."

LOA R1-12-24 provided the following, the "parties agreed to update the Physical Agreement, where appropriate, to include changes from previously signed letters of agreement." "Attachment A" of LOA R1-12-24 provides in pertinent part, "During discussions on the job bidding process, the Company clarified how "D" bidders receive consideration for positions. "D" bidders are considered qualified if they previously held the classification being filled or previously met the requirements of a "B" or "C" bidder including time in the line of progression. This applies to all classifications, except apprenticeships, where the bidder is considered qualified if they have met the pre-employment test requirements..."

This case arose because, according to the Union, there was a conflict between LOA R1-12-24 and Letters of Agreement 06-44, 07-48, 07-49, 10-19. The earlier LOAs, as specified in their program of instruction, required "completion of one year as a Plant Utility Worker" before a D bidder could be appointed to an Apprenticeship classification.

In contradiction, LOA R1-12-24 stated, "D" bidders are considered qualified if they previously held the classification...or previously met the requirements of a "B" or "C" bidder...this applies to all classifications except apprenticeships, where the bidder is considered qualified if they have met the pre-employment test requirements..."

Since this case arose, DCP has announced it will not seek re-licensing of the Plant. LOA 16-22, provides in pertinent part, "...PG&E has the obligation to operate the plant safely and reliably. PG&E will need highly skilled personnel who are knowledgeable about the plant's operations."

Discussion

The Union argued that D bidders who had "met the pre-employment test requirements" should have been awarded the Apprenticeships.

The Company argued that despite LOA R1-12-24 the program of instruction required under the Division Master Apprenticeship Agreement for Apprentice Mechanic-Riggers, Apprentice Electricians and Apprentice Machinists, all remained the same--namely one year of Plant Utility Worker experience prior to appointment.

Decision

After much discussion, the Committee agreed that D-Bidders throughout the Company (inside and outside DCP) are considered eligible and qualified for all apprenticeships if they have met the pre-employment test requirements (excluding Apprentice System Operators per LA-R1-05-21). However, in the case of the maintenance apprenticeships which have a requirement for

one-year of plant utility worker experience, only D-bidders Headquartered at DCPD or previously Headquartered at DCPD for greater than one year, that have met the pre-employment test requirements, are eligible and qualified "D-bidders" for these Apprenticeships. Employees who have never been, or are presently not headquartered at DCPD, are not considered eligible D bidders for these maintenance apprenticeships because they do not have the 1 year PUW experience.

The intent of this Review Committee decision is to provide clarity for future hiring, not to change any hiring decisions already made. This grievance is closed without adjustment, with the understanding that future hiring will follow the process and guidance established above.

Claire I. Landoli 1/18/17

Claire Landoli, Chairperson Date
Review Committee

Kit Stice 1-18-17

Kit Stice, Secretary Date
Review Committee