



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
☐ DECISION
☐ LETTER DECISION
☐ PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Review Committee Numbers 22821 & 23599 Electric Operations

The above-subject grievances had been referred to arbitration as Arbitration Case No. 363/364 and are returned to the Review Committee for settlement.

Marcus Mitchell
Company Member
Local Investigating Committee

Ralph Kenyon
Union Member
Local Investigating Committee

Subject of the Grievance

These grievances, deal with the Union's contention that the Company must first utilize IBEW Qualified Electrical Workers (QEW) to monitor non-Company owned generators prior to the Company contracting out the work to third parties.

Grievance 22821 - Union alleged the Company used contractors to monitor non-PG&E secondary generators in Richmond, which according to the Union, is IBEW bargaining unit work subject to the provisions of Exhibit XVI.

Grievance 23599 - Union alleged the Company used contractors to monitor non-PG&E generators in San Francisco during the weekend of the Super Bowl. The Union alleged whether the work is monitoring a secondary generator or a primary generator, the work is exclusive to IBEW and requires a QEW to perform the work.

Facts of the Case

Case No. 23599: This case arose during Super Bowl Week #50 held in the City of San Francisco from, at least, February 6, 2016- February 11, 2016. On February 6, 2016, there was an outage and the Company made an emergency Call-Out through ARCOS for IBEW employees to respond. None of the IBEW employees responded because they were already working, so the Company rented eight secondary generators because they needed to restore power. Initially, two IBEW employees connected the cable to the generators and two IBEW employees went into the manhole to connect the cables to the PG&E lines. Four additional IBEW employees were brought in to finish the set-up of the generators. All eight manholes had

"A" frame barricades to prevent entry to the manhole by the public. The Contractor, Peterson Power, had four employees patrolling these generators/manholes. They were responsible for patrolling, keeping the public away and checking the readings (voltage) of the generators on the log.

Case No. 22821: In this case, on or about October 7, 2014, there was an emergency outage that happened on straight time and extended into overtime. The Company did not have its own generator available, so it rented a generator from a third party, Peterson CAT. Peterson had a QEW monitor its own generator.

Procedure TD 2007-01JA09 provides for the monitoring of Company generators, but none of the generators in any of these cases were Company-owned. Conversely, Utility Standard TD-2007P-02 governs the use of Peterson-owned Secondary generators which was the procedure in effect at the time these incidents arose.

The parties agree, when using rental generators, that "logging the reads" including checking the temperature, voltage and fuel from the generator, "fixing the generator" or "monitoring the output of the generator" are not duties normally performed by IBEW employees.

Review Committee Decision No. 21984 established that the monitoring of Company generators is considered bargaining unit work which should be performed by a Qualified Person, whether a Company employee or a contractor as provided for in Letter of Agreement 09-41-PGE. (Exhibit XVI).

Discussion

The Company's goal is to restore power and to utilize a Qualified Person, whether employee or contractor, to monitor generators. The Company argued Review Committee Decision No. 21984 established that the monitoring of *Company generators* is considered bargaining unit work which should be performed by a Qualified Person, whether a Company employee or a contractor as provided for in LOA 09-41 (Exhibit XVI). These cases do not involve Company-owned generators.

The Review Committee noted that the use of PG&E rented equipment that is normally utilized by PG&E IBEW 1245 employees, (with the exception of specialized equipment), is considered work normally performed under Exhibit XVI. However, regarding rental generator equipment, there are certain duties which the parties agree are not duties normally performed by IBEW 1245 such as "logging the reads, fixing the generator and monitoring the output of the generator." Conversely, the parties agree that, "hooking up" to a Company-owned and/or a PG&E rented generator is IBEW 1245 exclusive work.

Decision

The Review Committee agrees that the Company will utilize IBEW 1245 Qualified Persons in the Electric T&D line of progression at the headquarters prior to utilizing IBEW 1245 Signatory Contractors to perform generator standby duties.

The Review Committee agrees to settle and close Grievance No. 23599 on an equity basis.

The Review Committee is remanding Grievance No. 22821 to the Local Investigating Committee to resolve any appropriate overtime bypass pay consistent with this decision. The Review Committee retains jurisdiction if a local settlement cannot be reached.

Robin Wix 9-9-19
Robin Wix, Chairman Date
Review Committee

Kit Stice 09/09/2019
Kit Stice, Secretary Date
Review Committee