

REVIEW COMMITTEE DECISION

Review Committee Files Nos. 358, 374, 375 and 473
Sacramento Division Grievance No. 6-2
San Jose Division Grievances Nos. 8-8 and 8-9
San Francisco Division Grievance No. 2-63-12

Subject of the Grievances

Each of the grievances relates to the Company's act of obtaining clerical help for limited periods of time through a contract arrangement with agencies known as "Kelly Girls" or "Western Girls". These persons were utilized to perform services on the Company's premises in three Divisions at different periods of time.

In the first grievance, the Sacramento Division obtained part-time clerical help to work one or two days a week. Subsequent to the filing of a grievance in the Division, as the need for extra help continued, the "Kelly Girls" were replaced by part-time employees.

In the San Jose Division grievances, the Division obtained "Kelly Girls" to fill temporary vacancies in beginning jobs which were created through illnesses in the offices concerned. Following receipt of these grievances by the Review Committee, the "Kelly Girls" continued to work only until Company employees returned.

In the San Francisco Division grievance, the Division secured "Western Girls" to provide additional help to handle the influx of preparatory work required by the gas refund ordered to be made to certain specified customers. A grievance was filed but before its receipt by the Review Committee, the specific function had been completed and the services of the "Western Girls" were discontinued.

Discussion

Sections 2.1 and 2.2 of Clerical Agreement recognize Union as exclusive representative of office and clerical employees with exclusions as mentioned in such Sections.

The procurement of clerical help from outside services has been the subject of considerable discussion between Union and Company aside from the grievance procedure and it has been understood that there is no intent to use these agency employees to reduce the scope of the bargaining unit, provide permanent replacement of regular employees of the Company, or to reduce or interfere with rights established under the collective bargaining Agreement.

Decision

Although the specific situations in these grievances have ceased to exist, the following decision is intended to set forth guidelines to be followed in future instances of a like nature:

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Where temporary services are required for a limited period, such as emergency situations or for a specific special function, and employed help is not available to perform the required duties, it is recognized that such occasional use of agency employees may occur.

To avoid future misunderstanding and disputes, when it is contemplated that the services of agency employees are to be utilized, for the reasons set forth above, the Union Business Representative in the area should, if possible, be informed of Company's intentions before the agency employees commence work.

FOR UNION:

R. W. Fields
W. M. Fleming
L. L. Mitchell

By L. L. Mitchell

Date March 27, 1964

FOR COMPANY:

E. F. Sibley
C. L. Yager
L. V. Brown

By L. V. Brown

Date December 5, 1963