

Portland General Electric Company and International Brotherhood of Electrical Workers, Local 125, Petitioner. Case 36-RC-4615

9 February 1984

DECISION ON REVIEW AND ORDER

BY MEMBERS ZIMMERMAN, HUNTER, AND DENNIS

On 18 February 1983 the Regional Director for Region 19 of the National Labor Relations Board issued a Decision and Direction of Election in the above-entitled proceeding, in which he directed an election in a voting group of the Employer's meter readers and special meter readers to ascertain their desires as to inclusion in the Petitioner's existing unit of transmission and distribution employees (hereinafter referred to as the T&D unit). Thereafter, pursuant to Section 102.67 of the Board's Rules and Regulations the Employer filed a timely request for review of the Regional Director's decision on the bases that he made errors in his findings of fact and departed from precedent. The Petitioner filed an opposition.¹

On 18 March 1983 by telegraphic order the Board granted the Employer's request for review. The election was held on 18 March 1983 and the ballots were impounded.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Board has considered the entire record with respect to the issues under review and makes the following findings:

In accord with the Petitioner's primary request, the Regional Director, as indicated, found that the requested meter readers were entitled to a self-termination election as to inclusion in the existing T&D unit. In the alternative, the Petitioner had contended that a separate unit of the meter readers was appropriate, or that the meter readers should be given the option of separate representation or inclusion in the T&D unit. The Employer contended that, under the facts presented, Board precedent supports a finding that the duties of the meter readers are office clerical in nature and, therefore, the only appropriate unit for them must encompass all unrepresented office clerical employees. We find merit in the Employer's contention.

The Employer is an electric utility serving the greater metropolitan area of Portland, Oregon. Aside from its generating facilities, the Employer has five geographic subdivisions: the central (the Portland area), western (the Breverton area), Willamette Valley (the Salem area), Oregon City, and

Gresham divisions. Each division has three functional departments: engineering and construction, customer field services, and customer accounts and services (herein called CA&S).

In the central division, at Portland, the represented T&D employees and the unrepresented employees are in separate buildings on opposite sides of the Willamette River. Also, in the Willamette Valley and Gresham divisions, the represented and unrepresented employees work in separate buildings several miles apart.² In the western and Oregon City divisions, all employees work in the same building,³ but the represented employees work in areas separate from the CA&S employees.

CA&S is responsible for meter reading, processing customer inquiries, opening new accounts, making credit checks, processing customer billing, and notifying the customers of service connections, disconnections, and reconnections. The department has three sections: credit, customer accounts, and meter reader, each with an immediate supervisor who reports to the CA&S manager.⁴ Employed in CA&S, within the credit section, are 72-hour representatives, and credit representatives, in classifications 1 through 4; in the customer accounts section, customer accounts representatives, 1 through 4, field representatives, and weatherization representatives; and, in the meter reader section, the regular and special meter readers. Service inspectors, who are in the T&D unit, are also in CA&S. Customer field services, although a separate department, does work for CA&S.

There are approximately 89 meter readers distributed among the divisions. They are assigned regular routes. They report for work at their offices in the division to which they are assigned and pick up their routes, going over special things they should do that day. They may also respond to questions concerning their readings of the previous day. Based on their readings, they fill out computer-marked data service cards which, upon completion of their routes, they turn in to data services. In addition to making readings, meter readers observe and record other conditions related to the Employer's service to the customer. Special meter readers, two in the central division and two in the western division, are not scheduled to read a regular route. They do difficult readings, involving some commercial customers, and special readings, e.g., customers who are moving in or out, and verification

² The Willamette Valley division has three district offices at separate locations; the Gresham division has a district or branch.

³ The Oregon City division also has a branch location, and the western division has three districts and one branch.

⁴ In one division, there is one supervisor for both the meter readers and the field inspectors.

¹ The Petitioner subsequently submitted its posthearing brief.

of previous day reading which require greater precision. They are also in training to become assistant meter reader supervisors and to learn more about CA&S operations. Some regular meter readers are assigned to do special readings.

On the average, meter readers assigned regular routes spend about 15 minutes in the office and 5 or 6 hours doing readings. When they complete their routes they may, if they desire, return to the office and devote time to learning more about the accounting and other customer service operations of CA&S. However, there is considerable diversity in the practices among the divisions with regard to the amount of time meter readers spend in the office. In the central division, meter readers are trained during the first 6 months of their employment in the various functions of CA&S. In some divisions, on some days they may stay in the office cross-training in CA&S office operations—this occurs frequently. Special meter readers regularly spend much more time in the office than do meter readers on regular routes. In the western division special meter readers spend half the year training in CA&S.

Within CA&S, meter reader is an entry level position. There was testimony that 70 percent of the meter readers advance to unrepresented positions. However, a number of the T&D unit employees were previously meter readers.

As above stated, service inspectors are in the T&D unit and are part of CA&S. Service inspectors work with tools. Some perform a credit function, disconnecting and reconnecting meters in cases of nonpayment and in the collection of deposits. Others reconnect meters for a change of customers and approve reconnections after house remodelings. Service inspectors work out of locations separate from other CA&S employees except in the western and Oregon City divisions where all CA&S employees are located in the same building. However, even in those two divisions, service inspectors work out of a separate area and have very

little contact with other CA&S employees, including meter readers.⁵

In most cases where the unit placement of meter readers was an issue, especially cases involving gas and electric utilities, the Board has found that the duties and interests of the meter readers were closely identified with those of typical office clerical employees and it has treated them as such.⁶ Contrary to the Regional Director, we conclude, on the basis of the record facts summarized above, that the Employer's meter readers and special meter readers share such a close community of interest with office clerical employees in CA&S, especially those in the customer accounts section, as to preclude their inclusion in the T&D unit. We do not believe that the presence of service inspectors in CA&S or the evidence of common supervision of both service inspectors and meter readers in the western division compels a contrary conclusion.

Accordingly, as we find that the only appropriate unit for the meter readers herein must encompass all office clerical employees, a unit much larger than that sought by the Petitioner, we shall dismiss the instant petition.

ORDER

The petition is dismissed.

⁵ Although there was testimony by David Mozuch that he supervises both the meter readers and the service inspectors in the western division, he stated only that he prepares the budget for both groups and gave no details as to whether they otherwise share a community of interest.

⁶ See, e.g., *El Paso Electric Co.*, 168 NLRB 983 (1967); *Atlanta Gas Light Co.*, 158 NLRB 240 (1966); *Battle Creek Gas Co.*, 132 NLRB 1528 (1961); *Houston Corp.*, 124 NLRB 810 (1959); *Danbury & Bethel Gas & Electric Light Co.*, 94 NLRB 642 (1951); *Appalachian Electric Power Co.*, 91 NLRB 1376 (1950). Cf. *Southern Union Gas Co.*, 175 NLRB 870 (1969), in which the Board found appropriate a unit of meter readers where, inter alia, it was not shown that they were an integral part of the accounting department. Also, the cases of *Massachusetts Electric Co.*, 248 NLRB 155 (1980), and *Boston Gas Co.*, 221 NLRB 628 (1975), relied on by the Petitioner, are inapposite. Those cases involved consolidations of operations and, because meter readers had been included historically in transmission and distribution units which had been voluntarily established, the Board directed self-determination elections for meter readers, providing them an option of continuing their representation together with transmission and distribution employees.