UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET

SALT LAKE CITY, UTAH 84140

Return & Ted

THOMAS W. FORSGREN

VICE PRESIDENT UTAH PUBLIC REGULATORY AND GOVERNMENTAL AFKARVICE COMMISSION

801-220-4261

June 1, 1989

Chairman Brian T. Stewart
Public Service Commission of Utah
Heber M. Wells Building
160 East 300 South
4th Floor
Salt Lake City, Utah 84111

Dear Chairman Stewart:

Transmitted herewith please find the correspondence regarding "Preservation of Employment Opportunities for Bargaining Unit Employees When their Position is Eliminated Due to the Merger" which we discussed today.

Also enclosed is the Petition sent to Governor Bangerter regarding the eliminated arbitration clause.

If you have questions regarding these documents, please contact me at your convenience.

Very truly yours,

THOMAS W. FORSGREN

TWF:hlr Enclosure

cc: Frank Johnson



1407 West North Temple Sait Lake City, Utah 84140 RECENTE

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JUN 1 1989 UP&L REG. & GOV. AFFAIRS DEPT.

May 31, 1989

Mr. Blaine A. Newman Business Manager I.B.E.W., Local 57 1743 West North Temple Salt Lake City, UT 84116

Dear Mr. Newman:

It is regrettable that by your correspondence of May 31, 1989, the union rejects the company's final offer relating to the "Preservation of Employment Opportunities for Bargaining Unit Employees When Their Position is Eliminated Due to the Merger". The company has no alternative but to implement the terms of the agreement as proposed, to be effective June 1, 1989.

Because we do not have mutual agreement, the attached letter dated June 1, 1989, directed to you will be the procedure to be utilized and communicated to bargaining unit employees in the future when the company determines their position is being eliminated due to the merger. Please note it does recognize that you are not in agreement.

The company's intention is to operate under this procedure throughout the duration of the existing labor agreement, at which time the matter is obviously subject to negotiations as is the entirety of the contract.

I believe it is necessary to respond to several points raised in your May 31, 1989 correspondence. The company would agree with your second paragraph that both parties have been trying to "negotiate an acceptable proposal to address the concerns of the company due to the merger". The fact is, however, the primary issue of disagreement and the resulting impasse was over your contention that all excess employees be treated as merger related.

You further state in your third paragraph that "the company has taken a stand where they have the only say as to what positions with the company would be merger related". I believe your statement is not factual. If you review my May 25, 1989 letter to you, it clearly states that "if the union is not convinced that a position to be excessed is not merger related, the grievance process as outlined in Article 5 of the labor agreement is available for appeal".

In summary, attached is a letter specifically setting forth the procedure to be utilized by the company during the life of our existing labor agreement when we are proposing that a bargaining unit position be excessed because of the merger. This position will be communicated to all employees so identified, and they will be afforded the opportunity to elect which option they choose under the procedure as the attached "Notice of Reduction in Force" form provides.

I trust there is no confusion regarding this communication. If you should have questions, do not hesitate to contact me.

Sincerely,

D. Jack Bottino

Manager of Labor Relations

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enclosures



June 1, 1989

Mr. Blaine A. Newman Business Manager I.B.E.W., Local 57 1743 West North Temple Salt Lake City, UT 84116

SUBJECT: PRESERVATION OF EMPLOYMENT OPPORTUNITIES FOR BARGAINING UNIT EMPLOYEES WHEN THEIR POSITION IS ELIMINATED DUE TO THE MERGER

Dear Mr. Newman:

The following procedure shall be applied to any I.B.E.W., Local 57 represented employee whose position is eliminated due to the merger with PacifiCorp. The purpose of this procedure is to preserve employment opportunities for bargaining unit employees whose positions are eliminated for merger-related reasons. While acknowledging employee force reduction rights set forth in the Labor Agreement, this procedure also provides an alternative process to preserve employment opportunities.

For the purpose of this procedure, "merger-related" will be determined by the Company. If the Union should disagree or have questions regarding the Company's determination, the Union will be given an opportunity to meet with the Company's Personnel Review Committee (PRC) to discuss the decision.

Each employee excessed for merger related reasons will have two (2) options:

OPTION NO. 1 The employee can exercise all bumping and related force reduction rights provided by the present Labor Agreement.

OR

OPTION NO. 2 The employee can follow the process outlined below:

- 1) Once an employee has been informed that their position is being excessed due to the merger, the employee will be allowed to maintain their employment and present grade consistent with the provisions of this procedure. The employee will also have the option to terminate and receive severance pay as described in Section 3.2.11 of the Labor Agreement.
- 2) If at the time the employee is notified that his or her position is excessed there is no comparable position vacancy (i.e., a job vacancy at the same grade or two (2) grades below for which the employee is qualified) under the Labor Agreement which does not require relocation, the employee will be placed in a temporary position created by the Company and will continue to maintain his or her current pay and grade.

- 3) While in the temporary position, employees may bid for any vacant position in accordance with the Labor Agreement. If the employee fills a vacancy at the same grade or two (2) grades below, the employee's salary will continue to be maintained while the employee remains in the new position. If the employee fills a vacancy which is more than two (2) grades below, the employee's salary will be determined based on the new position's grade as provided in Section 4.7.1 of the Labor Agreement.
- 4) Employees will be required to bid any comparable position vacancies which do not require relocation of the employee. Position vacancies will be awarded in accordance with the Labor Agreement.
- 5) Should an employee choose not to exercise their right to bid for a comparable position vacancy or decline a comparable position awarded to the employee, an additional 120 day placement period will be provided to the employee to bid on other available vacancies. If the employee fails to obtain a position during that period, he or she will be terminated with severance pay and existing outplacement benefits with no right of recall.
- 6) If at the end of twelve (12) months the employee is still assigned to a temporary position because of a lack of comparable position vacancies or a failure to be awarded such a position that was available, the employee may be placed by mutual agreement of the Company and Union into an available vacant bargaining unit position for which the employee is qualified. The employee's current pay and grade will be maintained while the employee remains in the new position.

This procedure will remain in effect until the expiration of the current Labor Agreement, and it is recognized by the company that is has been imposed without the concurrence of the union following impasse over the subject matter.

Sincerely

D. Jack Bottino

Manager of Labor Relations

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NOTICE OF REDUCTION IN FORCE

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Name:	
Address:	
Hire Date:	Full Time Employment Date:
Your position of Department has been excesse	in the due to the merger with PacifiCorp.
Therefore, you will have sev to choose either Option 1 or (ren (7) days or until Option 2 from the attached procedure.
You will remain in your pres notified to report to your ne	sent position until such time you are w position.
	s in Room 1115 or on extension 2838 or require a bumping seniority list.
Sincerely,	
D. Jack Bottino Manager of Labor Relations	
/sc:bumpltr.4	
I choose Option No.	•
	. Name -
	Name
	Date

RECEIVED

The Honorable Norman Bangerter
Governor of Utah
State Capitol Building
Salt Lake City, Utah 84114

Dear Governor Bangerty:: -

We, as employees of Utah Power & Light Company and share-holders of Pacificorp, are very concerned by the Company's elimination of the arbitration clause from our contract since the merger of Utah Power & Light Company and Pacific Corporation. Not only does it affect us directly and the customers we serve, but the entire community as well.

We, as employees of Utah Power & Light Company, are not satisfied with the frivolous answer Utah Power & Light gave the media.

The undersigned would like you, as our elected Governor, to determine why Utah Power & Light feels it necessary to remove a peaceful means of settling a contract that has worked well for 50 years.

Respectfully,

Utah Power & Light Co. employees

cc: Honorable Cecil D. Andrus
Governor of Idaho

Honorable Mike Sullivan Governor of Wyoming

A. M. Gleason President of Pacific Corp. Chairman of Pacific Telecom

Frank N. Davis
President, Utah Power Division

Dave Bolender President, Electric Operations

Bob Moench
President, Pacific Power Division

John A. Lindquist, Sr. Chairman, Board of Directors

Blaine Newman Business Manager I.B.E.W., Local #57

John Flynn, Ombudsman University of Utah

Division of Public Utilities

Committee of Consumer Services

KUTV - Kimberly Leslie Director, Community Affairs

Governor Bangerter

P.S. Recently, the Company has exhibited an attitude which we fear may push the employees into a strike position, which will affect the citizens in the State of Utah in the event of power outages.

That attitude is the callous disregard for the promise to the Public Service Commission that no employee would lose their job due to the merger.

The Company has announced that 20-30 positions are being eliminated due to the merger. Please see attached UP&L Newsbreaker dated May 1, 1989.

Attachment

COMPUTER SITE SELECTED

Following several months of study, the Information Management department decided to consolidate the Salt Lake Data Center into the Portland Computer Center. The transition begins May 1 and will take several months to complete.

This consolidation will ultimately reduce department staff by about 20 to 30 people. Many of these positions are covered by a collective bargaining agreement, and those employees affected will have the opportunity to exercise their "bumping" rights.

Going to a single site for the computer will create savings in a variety of areas, including operations, maintenance and licenses. Studies showed the Portland center would require the least amount of upgrading to handle the larger company.

"Clients of Information Management will notice no appreciable difference in computer service," said Rod Boucher, vice president, Information Services. "Most computer functions will remain the same. Response time and data integrity will be as good or better once the change is made to a single site."

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3. Carl A Braincone	23. Jun S Galla
4. I Wans Stello	24. Stan Nelson
s. of lay oh. Garans	25. Wishy Bon
6. John Kolfits	26. Rucks Willer
7. Brand Legutt	27. Day That
8. The call.	28. Bill Feminar
9. Pric Rudia	29. Mark a Hysell
10. Jan Saus	30. Kint Stonemics
18. Typel augus	31
12. Jane Walt	32. The History
13. Jun jemnio	33. 19/an Drag #
14. April Mal	34 samo Dofu
15. Junian Seale.	35. Askis D. Askis
16. Reque Folams	36. Cold Shoot.
17. Con Black	37. James M. Dout
18. Tile frage	38. Laun (Stersman)
19. Zieller Flack	39. BU Sporow.
20. Chan C Comie	40. Knew / Little