

PG and E**FOR INTRA - COMPANY USES**

From Division or
Department INDUSTRIAL RELATIONS

FILE NO. 741.1

RE LETTER OF
SUBJECT Emergency Call-Out Duty

To Division or
Department

April 13, 1981

MR. E. M. CONWAY:

Section 212.2(c)(3) of the IBEW Physical Agreement provides an opportunity for employees to remove themselves from the emergency duty call-out list twice a week, with advance notice, for reasons other than educational, civic, or church activities.

The encompassing purpose behind Title 212 is to provide customers with the best and most immediate service possible. Toward that end, it is imperative that employees be available for duty when emergencies arise. Of course, the Company recognizes times when a worker's personal commitments may preclude this availability (i.e., educational classes or religious observance), and the contract provides for this flexibility. Yet, Section 212.2(c)(3) was not intended as an excuse to avoid weekend duty or to avoid duty at one's whim. When an employee puts his name on the call-out list, he is expected to be available for work unless good cause prevents it.

However, the language of Section 212.2(c)(3) does not reflect this frame of mind. A literal reading of that provision allows employees to remove their names from the call-out roster for any and "all other instances" or reasons. And, in fact, employees have apparently taken advantage of this literal interpretation. Current practice in all Divisions surveyed permits employees to remove their names for any given reason, if in fact a reason is even sought. No "good cause" is ever required, and weekend "holidays" are standard practice.

Given the sufficiently vague contract language and Company's past practice, it is the opinion of this Department that fighting a grievance over this issue would not be a successful venture. Instead, this issue should be resolved in the next general negotiations.

And, too, to enforce the true intent of this provision too strictly may be self-defeating, serving to discourage employees from signing up for emergency duty altogether. As stated before, the paramount purpose behind Title 212 is to provide customers with the best and most immediate service possible.



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