

# REVIEW COMMITTEE

**PG and E**

PACIFIC GAS AND ELECTRIC COMPANY  
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**IBEW**



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
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WALNUT CREEK, CALIFORNIA 94596  
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L.N. FOSS, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Drum Division Grievance No. 15-20-77-7  
P-RC 340  
Reimbursement of Meal, First Operator

March 27, 1978

MR. D. P. WILBUR, Company Member  
Drum Division  
Local Investigating Committee

MR. A. L. BAKER, Union Member  
Drum Division  
Local Investigating Committee


The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned, pursuant to Section I B(2) of the Review Committee procedure, to the Local Investigating Committee for settlement in accordance with the following:


The grievant, a First Operator, Drum Power House, was denied reimbursement for a meal taken on November 5, 1977. His regular shift was from 7:00 AM to 3:00 PM, but was held an additional one hour and fifteen minutes to perform emergency switching. Upon dismissal of work at 4:15 PM, the grievant departed for Santa Rosa and submitted a claim for reimbursement of a meal eaten at approximately 7:30 PM. Supervision denied reimbursement on the basis that the grievant waited too long to consume the meal.

There is no disagreement that the grievant was entitled to a meal upon dismissal from work. The issue is whether or not he forfeited his entitlement by waiting approximately three hours to consume the meal. This question has arisen in other Review Committee cases, and consistent with prior rulings, an employee must eat upon dismissal from work or a reasonable time thereafter. The basis for this decision stems from Section 104.1 of the Physical Labor Agreement where it obligates the Company to provide a comparable substitute when employees are prevented from observing their usual and average meal practices or are prevented from eating a meal at approximately the usual time.

In view of the foregoing, the Pre-Review Committee is of the opinion that the grievant, for his own personal reasons, delayed the meal three hours after dismissal from work and contractually is not entitled to payment for the cost of the meal. Therefore, the grievant is not entitled to the correction asked for.

This case is considered closed on the basis of the foregoing, and the closure should be so noted by the Local Investigating Committee.

  
D. J. BERGMAN, Chairman  
Review Committee

  
L. N. FOSS, Secretary  
Review Committee

DJB:rto

cc: REMetzker  
IWBonbright  
LVBrown  
Personnel Managers