

REVIEW COMMITTEE

PG and E

IBEW

PACIFIC GAS AND ELECTRIC COMPANY
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
R.W. STALCUP, SECRETARY

CASE CLOSED
LOGGED AND FILED

OCT 9 1981

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Stockton Division Grievance No. 16-166-81-5
P-RC 661

October 8, 1981

MR. D. G. COLLINS, Company Member
Stockton Division
Local Investigating Committee

MR. M. HARRINGTON, Union Member
Stockton 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 Step Five A(iii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

At issue in this case is an alleged violation of Section 107.1 of the Physical Agreement claiming that, for a number of years prior to February 27, 1981, the employees at the Angles Camp and Stockton headquarters Materials Department were allowed two 15 minute rest periods during their shift. Subsequent to February 27, 1981, the rest periods were reduced to ten minutes each.

During discussion at the Pre-Review Committee, additional and conflicting information was presented. The report forwarded by the Local Investigating Committee stated that a 15 minute rest period was in effect at both Angles Camp and Stockton and that both were reduced to a 10 minute rest period on February 27, 1981. There is no dispute that this practice existed at Stockton but there is a question of exactly what the practice was at Angles Camp. The Local Investigating Committee is to determine what the practice was at Angles Camp and, if appropriate, apply the decision shown below.

This kind of situation is not new to the grievance procedure. A similar issue has been resolved in Review Committee Decision No. 1167 (attached).

The Pre-Review Committee is referring this case back to the Local Investigating Committee to resolve in accordance with RC 1167. A copy of the resolution shall be forwarded to the Pre-Review Committee for its file.


D. J. BERGMAN, Chairman
Review Committee


R. W. STALCUP, Secretary
Review Committee

MAShort(6274):ml

cc: CRMartin	FCBuchholz	WKSnyder
MEBadella	RHCunningham	LSilton
LCBeanland	NRFarley	CPTaylor
MEBennett	RDManning	CEWelte
IWBonbright	DOkabayashi	Division Personnel Managers
LVBrown	JBStoutamore	

Attachment

LOCAL INVESTIGATING COMMITTEE REPORT
Grievance No. 16:166:81:5
STOCKTON DIVISION

The above grievance was referred to the Fact Finding Committee on May 29, 1981 and to the Pre-Review Committee after the Fact Finding Committee considered it on August 20, 1981.

The Pre-Review Committee considered the case and referred the case back to this Committee for settlement by letter dated October 8, 1981.

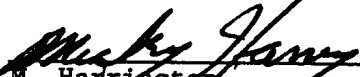
DECISION

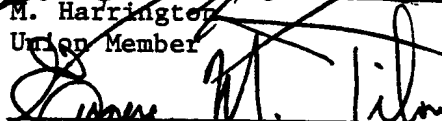
On the basis of a prior settlement (R.C. 1167) involving change of conditions where an established past practice existed, the action by Company in establishing 10-minute rest periods in the Stockton Material Facility was improper as past practice had established such breaks at 15 minutes. There was no past practice in the Angels Materials Facility.


Therefore, the order establishing such 10-minute breaks in Stockton is rescinded and 15-minute breaks according to past practice are reestablished.


As no past practice existed in Angels Camp Material Facility, the limitation to a 10-minute break is appropriate.

On this basis, the grievance is considered closed.

 2-18-82
M. Harrington
Union Member


G. Tibon
Union Member


D. G. Collins
Company Member


F. E. Cisneros
Company Member

2-18-82
Date