

DE ANZA DIVISION GRIEVANCE NO. DEA-92-27
FACT FINDING COMMITTEE NO. 5380-93-18
(PRE-REVIEW CASE NO. 1675)

OCT 29 1993
CASE CLOSED
LOGGED AND FILED

RECEIVED OCT 29 1993

Subject of the Grievance:

This grievance was discussed by the Pre-review Committee and was referred back to the Fact Finding Committee for settlement. The issue in this grievance is whether the Company denied the grievants the opportunity to continue working on an overtime assignment.

Facts of The Case:

On Wednesday, September 30, 1992 during regular work hours, a third party vehicle struck and broke a utility pole causing an outage for approximately 200 customers. Prior to the end of the workday, a crew was assigned to make the necessary repairs. The crew was comprised of an Electric Crew Foreman, two Linemen and an Apprentice Lineman. Between 4:00 p.m. and 5:00 p.m. the supervisor told the crew members that he would provide them with a meal at the job site or they could elect to eat at a restaurant and end the overtime assignment.


The Crew Foreman decided to eat the meal provided at the job site while the other crew members elected to eat at a restaurant. The crew members arrived at the restaurant at 6:00 p.m., left the restaurant at 7:35 p.m. and were dismissed at 8:30 p.m. A second crew was called out between 5:00 p.m. and arrived at the ~~restaurant~~ ^{site} at 7:30 p.m. The repairs were completed by 11:30 p.m.

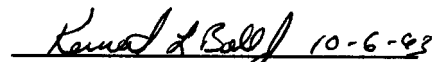
Discussion and Disposition

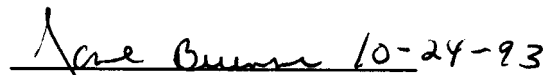
The Committee determined that the crew members, having elected to go to a restaurant for their meal entitlement, should not have been dismissed prior to the overtime assignment ending. Therefore, the grievants will be given bypass pay for the remaining three hours of the overtime assignment.

This case is settled on the basis of the above.


Laura Sellheim Date
Sr. Labor Relations Rep.


Elissa Carroll Date
Human Resources Rep.


Ken Ball Date
Sr. Business Rep.


Jane Brunner Date
Union Business Rep.



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
201 MISSION STREET, ROOM 1508
MAIL CODE P15B
P.O. BOX 770000
SAN FRANCISCO, CALIFORNIA 94177
(415) 973-8510

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

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- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

De Anza Division Grievance No. DEA-92-97
P-RC 1675

August 3, 1993

LAURA SELLHEIM, Company Member
Mission Trail Region
Fact Finding Committee

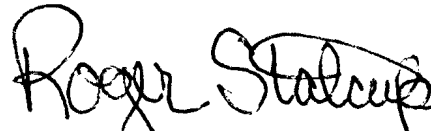
KEN BALL, Union Member
Mission Trail Region
Fact Finding Committee

The Pre-Review Committee met on July 27, 1993 to discuss this case and is returning the case to the Fact Finding Committee for settlement on the basis that the Company should not have replaced the assembled work crew.

A copy of the Fact Finding Settlement should be sent to the Pre-Review Committee when completed.


RICK R. DOERING, Chairman
Review Committee

Date 8/5/93


ROGER W. STALCUP, Secretary
Review Committee

Date 8/4/93

cc: Pam Herrlein