



REVIEW COMMITTEE

IBEW



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RECEIVED SEP 14 1995

**CASE CLOSED
FILED & LOGGED**

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

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

North Valley Division Grievance No. CHI-94-13
Fact Finding File No. 5696-94-145
P-RC File No. 1799

Subject of Grievance:

This grievance concerns whether or not employees were given notice of an overtime assignment by the end of their preceding work period on a work day. If the notification occurred after the end of their work period, they would be paid at the double time rate instead of the time and one half rate.

Facts of the Case:

On January 12, 1994, a gas department supervisor entered the Bull Room and notified five gas department employees that he would need two employees to work overtime. He asked them to decide between themselves who would work the assignment. He returned a few minutes later and sent the two remaining employees on the overtime assignment.

The Supervisor testified that he initially notified the five employees at 3:28 p.m. by his watch and the wall clock in his office. The employees maintain that the time was 3:32 p.m. There is testimony which supports that the wall clock in the Bull Room runs fast.

Decision:

The Supervisor initially contacted the five employees at 3:28 p.m. by his watch then returned to his office. He returned a few minutes later to determine who was interested in taking the overtime assignment. Based on this testimony, committee concluded that the actual work assignment took place after the end of the normal work period. The employees should have been entitled to the assignment at the double time rate of pay.

This case is considered closed and the Division is instructed to make the necessary pay adjustments.

Margaret Short

Margaret A. Short, Chairman
Review Committee

Roger Stalcup

Roger W. Stalcup, Secretary
Review Committee

9/14/95

Date

9/14/95

Date