

208: Issue: "Miscalculating the definition of 12 consecutive hours with respect to travel time when called out for EOT..." Settlement: Grievant should have been paid 2x from 2:30 am to 7 am; straight time from 7 am to 3:15 pm; and 2x again from 3:15 pm to 3:30 pm. However, grievant is not entitled to travel time home.



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4282

RECEIVED by LU 1245
September 8, 2006

CASE CLOSED
FILED & LOGGED

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN
 DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Pre-Review Committee No. 16392

Carol Quinney
Company Member
Local Investigating Committee

Joe Osterlund
Union Member
Local Investigating Committee

Subject of the Grievance

Union contends that the Company is miscalculating the definition of 12 consecutive hours with respect to travel time when called out for emergency overtime prior to regular work hours on a regular work day. Union contends that travel time when called out from home for emergency overtime is to be considered as time worked and therefore included in the calculation of 12 consecutive hours.

Facts of the Case

The grievant, a Lineman was called out at 2:30 a.m. on a workday. He was paid 45 minutes travel time, arriving at the service center at approximately 3:15 a.m. He continued to work his regular work hours of 7 a.m. to 3:30 p.m.

Discussion

Travel time is provided for in Sections 208.6, 208.7, 208.8, and 208.9. Each Section refers to overtime compensation for travel time and actual work time. The distinction is clearly made. Travel time is not considered time worked. When travel time is considered in calculating eligibility for a contractual provision such as in Section 208.11(a); or specifically excluded, such as in Section 104.11, it is so stated.

Section 208.2(b) states:

"the **time worked** in excess of 12 consecutive hours and continuing until the employee is dismissed from such work shall be paid at the rate of two times the employee's straight rate of pay, "

Pre-Review Committee Decision 908, settled in 1983 states: "Travel time is not considered time worked for the purposes of determining double time entitlement under Subsection 208.2(b)."

Decision

The grievant should have been paid double time from 2:30 a.m. to 7 a.m.; straight time from 7 a.m. to 3:15 p.m.; and double time again from 3:15 p.m. to 3:30 p.m. The grievant is not entitled to travel time home.

This case is closed on the basis of the foregoing.

Doug Veadar for
Margaret A. Short, Chairman
Review Committee
9/6/06
Date

Salim A. Gamin
Sam Tamimi, Secretary
Review Committee
9/7/06
Date