



## REVIEW COMMITTEE

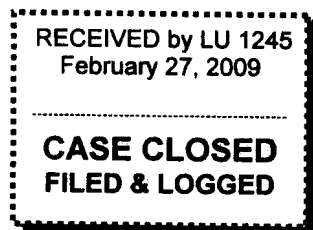


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LOCAL UNION 1245, I.B.E.W.  
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VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL



BOB CHOATE, SECRETARY

### Pre-Review Committee No. 18151 Diablo Canyon Power Plant

Susan Gerakaris  
Company Member  
Local investigating Committee

Mike Haentjens  
Union Member  
Local Investigating Committee

#### Grievance Issue:

This case concerns whether or not Diablo Canyon Power Plant (DCPP) employees are entitled to travel time pay from home under Section 208.12, while riding the shuttle bus from a remote parking lot prior to the beginning of their shift.

#### Facts of the Case:

During a 2008 outage at DCPP there was a shortage of parking spaces due to the large number of personnel and equipment on site. Company arranged for a shuttle bus from the remote parking lots as it was unsafe for employees to walk on the road. If employees could not find parking in the upper lots, they would have to proceed to the remote lots to park and take the shuttle from there. Some employees drove directly to a remote lot and caught the shuttle.

In accordance with state law, DCPP employees are entitled to, and have been receiving, overtime pay while riding the shuttle bus from a remote parking lot prior to the start of their shift. The law requires that pay begin when an employee is under the control of the employer. A separate payroll code was used when recording the time spent riding the bus to distinguish it from other types of overtime that is tracked.

Section 208.12 of the Physical Agreement requires the payment of travel time from home when an employee has been assigned to work prearranged overtime, and Section 208.1 requires the payment of overtime for work that is prearranged to start outside of regular work hours.


Discussion

The Union opines that under the Labor Agreement there are only two types of overtime, prearranged and emergency. Both require the payment of travel time from home at the beginning of the assignment.

The Company maintained that the shuttle bus was merely an option provided for employees for commuting from home to their regular headquarters on a regular work day. Management considered the circumstances of the overhaul, the large number of personnel on site and the safety of employees. Clearly this is not a prearranged overtime assignment, nor is it an emergency overtime assignment, as defined in the Agreement.

Decision

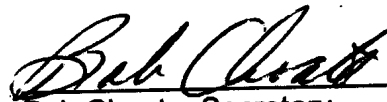
The Pre-Review Committee agreed that no violation of the Agreement occurred. Riding the shuttle bus is not a prearranged overtime assignment in accordance with Title 208, and therefore does not allow for travel time pay from home. This case is closed without adjustment.

 FOR

John A. Moffat, Chairman  
Review Committee

2-24-09

Date



Bob Choate, Secretary  
Review Committee

2/27/09

Date