

REVIEW COMMITTEE DECISION

Review Committee File No. 281
Pipe Line Operations Grievance No. 22

Subject of the Grievance

The grievance, submitted on behalf of several maintenance employees of the Pipe Line Operations Department, concerned the provision of Section 103.4 requiring that the Company reschedule an employee's workweek when a recognized holiday fell on a Monday and the employee was scheduled to work Tuesday through Saturday. The employees concerned in this grievance contend that, as they were scheduled to work on the Saturday following their regular day off on the Monday holiday, they should be rescheduled to observe the Monday holiday as a work day. Thus, they would receive the holiday off with pay the same as employees who regularly work Monday through Friday.

The correction asked for in the grievance is that each affected employee's record be reviewed from September 1, 1952, and retroactive payment be made on the following basis:

- a. One day's pay for each holiday observed on Monday.
- b. An additional one-half day's pay for work performed by such employee on what would have been a rescheduled regular day off.

Discussion

Previous to the date the grievance was first filed on January 13, 1961, it had never been the practice in Pipe Line Operations Department to reschedule employees under the provisions of the applicable Contract Section, although such Section did not specifically provide for their exclusion. Following several meetings of the Review Committee and exchange of written Opinions, the case was referred to arbitration by the Union. Subsequently, as a means of avoiding arbitration, Company offered to apply the Section to such employees in each instance following the date the grievance was filed, January 13, 1961, provided that Union withdraw the grievance.

Thereafter, Section 103.4 was amended during recent negotiations to provide for exception from the provisions of that Section and in the future employees excepted by the amendment need not be rescheduled in the situation present in this grievance.

Decision

It is the decision of the Review Committee that Company shall pay such employees the amount they would have earned during the period between January 13, 1961, and January 1, 1962, when proper application of the Contract Section was not followed after the grievance was filed.

FOR UNION:

R. W. Fields
W. M. Fleming
L. L. Mitchell

By L. L. Mitchell

Date Dec. 21, 1962

FOR COMPANY:

C. L. Yager
E. F. Sibley
V. J. Thompson

By V. J. Thompson

Date December 17, 1962