

REVIEW COMMITTEE DECISION

Review Committee Files Nos. 386 and 387  
San Joaquin Division Grievances Nos. 25-181 and 25-182

Subject of the Grievances

To perform emergency repairs to Unit No. 2, Kern Power Plant, the Division on May 30, 1962, established two 12-hour work periods, the first from 12:00 noon to 12:00 midnight and the second from 12:00 midnight to 12:00 noon. Those who worked the holiday, May 30, were paid for all time worked and travel time at the overtime rate. They were also paid for meals and time to eat. The work periods began May 30 and ended June 1, 1962. The employees assigned to the first work period were paid one-half hour overtime for the period 12:00 noon to 12:30 p.m., four hours' straight time for the period 12:30 p.m. to 4:30 p.m., and the record shows they ate a meal provided by themselves between 4:30 p.m. and 5:00 p.m. They were paid seven hours' overtime for the period 5:00 p.m. to 12:00 midnight. The record also notes that during this work period the Company provided a meal which the employees ate on Company time.

The employees assigned to the second work period were paid four hours' overtime for the period 12:00 midnight to 4:00 a.m. From 4:00 a.m. to 4:30 a.m. the employees ate a meal they provided themselves, from 4:30 a.m. to 8:00 a.m. they were paid three and a half hours' overtime, from 8:00 a.m. to 12:00 noon they were paid four hours at the straight rate.

Discussion

The emergency condition involved a number of grounds in the wiring of the governing mechanism on Unit No. 2, Kern Power Plant. Plant supervision estimated the trouble would take more than one week to locate and repair. The criticalness of the work required that the work be started immediately, even though the first day of the expedited work schedule was a holiday. Therefore, a bona fide reason existed to establish shifts under 202.17. The work progressed faster than anticipated and the shifts were not maintained for more than four work days. Therefore, the provisions of Title 208, with the exception of 208.11, should apply to these grievances. Furthermore, according to the agreed-to Clarification of 202.17, 12-hour work periods will not in the future begin at 12:00 noon and 12:00 midnight.

Decision

Except for the holiday, May 30, the grievants assigned to the work period beginning at 12:00 noon are entitled each day to the following in addition to what they have already received:

1. One-half hour overtime for the time to eat their first meal.

Except for the holiday, May 30, the grievants assigned to the work period beginning at 12:00 midnight are entitled each day to the following in addition to what they have already received.

1. Actual travel time at the overtime rate from their homes to work.
2. One-half hour overtime for the time to eat their first meal.

FOR UNION:

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

By L. L. Mitchell

Date July 15, 1963

FOR COMPANY:

E. F. Sibley  
C. L. Yager  
L. V. Brown

By J. L. Brown

Date April 2, 1963