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FOR INTRA - COMPANY USES

DIVISION OR
DEPARTMENT
FILE NO.
RE LETTER OF
SUBJECT

INDUSTRIAL RELATIONS
741.5

Review Committee File No. 1333-74-2
San Jose Division Grievance No. 8-73-42
Denial of Overtime Pay During Rest Period

RECEIVED

MAY 24 1974

L.U. 1245 I.B.E.W.

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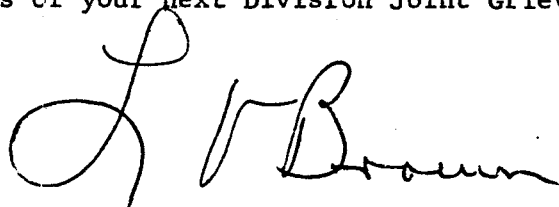
May 23, 1974

MR. F. L. NETTELL, Chairman
San Jose Division
Joint Grievance Committee

The above-subject case has been discussed at a recent meeting of the Review Committee. We are returning it to your Division Joint Grievance Committee to be resolved in the following manner:

The question presented is a novel one and is not expressly answered in the overtime provisions of the Labor Agreement. However, we believe that the situation here is analogous to the one where an employee has completed his day's work and is dismissed at the usual time. If the employee had departed from his headquarters and then was called to return to work, the travel time from his home back to the headquarters would have been paid. We believe that the same disposition should be made here on the analogous premise that the employees, having been dismissed to take their rest periods without further instructions at that time to report back, were entitled to overtime for actual time spent in traveling and time worked.

This case is considered closed on this basis and should be so noted in the minutes of your next Division Joint Grievance Committee meeting.



L. V. BROWN, Chairman
Review Committee

LVB:rto

- cc: VHLind
- IWBonbright
- JAFairchild
- PMatthew
- DJBergman
- Personnel Managers
- LNFoss, IBEW