

**CASE CLOSED
LOGGED AND FILED**

MEMORANDUM OF DISPOSITION
FACT FINDING COMMITTEE
COAST VALLEYS DIVISION
GRIEVANCE NO. 18-232-78-82

RECEIVED MAR 2 1 1979

SUBJECT OF GRIEVANCE:

This grievance concerns the change of hours of the employees' shifts in the San Luis Obispo and Santa Maria garages.

DISCUSSION:

The members of the Fact Finding Committee point out that the Company, in initiating the shift changes, is attempting to establish a more efficient operation in the San Luis Obispo and Santa Maria garages. This change also places the shifts in these garages more parallel to shifts throughout the system.

Also, this Committee notes the similarity of this case to the Review Committee Decision, File No. 1167, wherein the Company changed the shift of one of their garage operations. In this case, certain employees were "grandfathered" into an eight consecutive hour shift. The question of how to grandfather employees properly into an eight consecutive hour shift is central to this case. Basically this Committee feels that the preponderance of eight-hour second shifts throughout Coast Valleys Division gives those employees who were changed to, or will take, another second shift in this Division, the right to expect an eight consecutive hour shift. This Committee notes, also, that the historical practice of second shifts throughout the system is for employees to work eight consecutive hours.

DECISION:

This Committee agrees to the change of shifts in the San Luis Obispo and Santa Maria garages provided that these shifts are established as shifts of eight consecutive hours.

Manuel Mederos
Manuel Mederos, Union Member

Concur/~~Dissent~~ 2-20-79
Date

Ray Shepherd
Ray Shepherd, Union Member

Concur/~~Dissent~~ 2-5-79
Date

Paul E. Pettigrew
Paul Pettigrew, Company Member

Concur/~~Dissent~~ 2/9/79
Date

Larry Campbell
Larry Campbell, Company Member

Concur/~~Dissent~~ 1/31/79
Date

REVIEW COMMITTEE DECISION

Review Committee File No. 1167-72-44
Sacramento Division Grievance No. 6-72-5

Subject of the Grievance

This grievance involves a change in work schedules at the Placer-ville garage. Prior to the change, the two affected employees worked from 11:00 AM to 7:00 PM or eight hours. The schedule was changed to 3:30 PM to 12:00 PM, or eight hours with 30 minutes off for a meal. Company made the change for purposes of convenience in performing the work as specified in Section 202.15. All other employees subject to this Section in Sacramento Division work a 4:00 PM to 12:00 PM schedule.

Union asked that Company follow the historical practice in the Division and change the schedule to eight consecutive hours.

Discussion

The situation here deals with the change in hours of an established garage schedule of eight consecutive hours. The previous schedule had been in effect for a long time, and all concerned were aware of the deviation. This case is somewhat analogous to the "Grandfather" exception common to Labor Agreement interpretations. The effect of that exception is to preserve the status quo of employees that would otherwise be adversely affected by a change to conform a practice to the current Labor Agreement provisions. The Review Committee is of the opinion that this is a proper case to preserve the status quo by employment of a "Grandfather" exception.

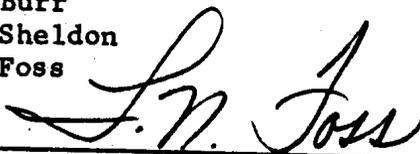
Decision

In accordance with the foregoing discussion, the change of hours in this instance should have provided for eight continuous hours of work. The schedule will be changed accordingly and this case closed on that basis.

FOR UNION:

W. H. Burr
E. R. Sheldon
L. N. Foss

By



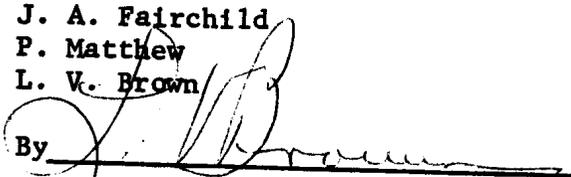
Date

11-22-74

FOR COMPANY:

J. A. Fairchild
P. Matthew
L. V. Brown

By



Date

11-22-74