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PACIFIC GAS AND ELECTRIC COMPANY

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July 24, 1968

Local Union No. 1245  
International Brotherhood of  
Electrical Workers, AFL-CIO  
1918 Grove Street  
Oakland, California 94612

Attention: Mr. Ronald T. Weakley, Business Manager

Gentlemen:

We have recently reviewed the provisions of our letter agreement, dated February 18, 1946, concerning the reinstatement of employees following their return from a military leave of absence. It is our desire to broaden these provisions in a manner that we believe will be of benefit to servicemen returning to classifications represented in the physical and clerical bargaining units.

The Company proposes to rescind the 1946 letter agreement and to amend the related provisions of the Physical and Clerical Labor Agreements by the application of the attached "Guidelines for Reinstating Returning Members of the Armed Forces." It is further proposed that the guidelines will be effective as to employees returning from military leaves following the date this letter agreement is executed.

If you are in accord with the foregoing and the attached Exhibit A and agree thereto, please so indicate in the space provided below and return one executed copy of this letter to Company.

Yours very truly,

PACIFIC GAS AND ELECTRIC COMPANY

By W. Bonbright  
Manager of Industrial Relations

The Union is in accord with the foregoing and it agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

August 15, 1968

By Ronald T. Weakley  
Business Manager

EXHIBIT A

GUIDELINES FOR REINSTATING RETURNING MEMBERS OF THE ARMED FORCES

A. SCOPE

These guidelines apply to employees who hereafter return from a military leave of absence and who request reinstatement in accordance with an Act of Congress granting such a right.

B. LEAVES OF ABSENCE

Military leaves of absence will be granted in accordance with the applicable provisions of the Universal Military Training and Service Act.

C. STATUS

An employee, who is entitled to reinstatement, will be reinstated in his former status as a "regular", "probationary" or "casual" employee.

An employee who is reinstated as "probationary" or (General Construction) "casual" employee will be required to satisfactorily complete the remaining period of such status before attaining "regular" status and will during such period be subject to the same conditions and limitations as any other "probationary" or "casual" employee.

D. SENIORITY

1. Company Seniority

The time spent in the military service shall be accumulated for the purpose of computing the employee's total Company seniority.

2. Classification Seniority

Subject to the provisions of these guidelines, the time spent in the military service shall be accumulated for the purpose of computing the employee's classification seniority.

E. WAGES

1. An employee who is reinstated as a "probationary" or "casual" employee shall return at the wage rate of the classification he held at the time

of his induction, including general increases and adjustments to such rates occurring during his absence.

2. Once the employee attains "regular" status, he shall be entitled to wage progression as next provided for the reinstatement of a regular employee in the following paragraph E-3.
3. (a) A regular employee reinstated in a time progressive classification held at the time he reported for military duty, except employees in apprentice classifications, will be entitled to wage progressions in such classification that would have occurred during his absence provided he would not have been required to complete a specific training program and/or pass a negotiated test before attaining any such wage step progression.  
  
(b) A regular employee who is reinstated in an apprentice classification will be reinstated either to his former wage progression step in such classification or the beginning wage rate if appointed to such classification (as provided for hereafter in Section F) following his reinstatement from a military leave.
4. A regular employee who is appointed to a classification having a higher wage rate than the one held when reporting for military duty (as provided for hereafter in Section F), except to an apprentice classification or any other classification for which a training program and wage progression tests have been negotiated, shall be reinstated in such higher classification at the wage step commensurate with the date on which he would have been appointed to the higher classification.

F. PROMOTIONS

1. Employees Other than General Construction Department Employees

- (a) A regular employee will be reinstated, in his headquarters, to the highest classification which he would have attained during his

absence to which his combined Company and military service alone would entitle him. This means that the employee is entitled to claim promotions, within 20 work days of his reinstatement, in his headquarters and line of progression that he would have received preferential consideration for appointment to if he had not been in the military service, and also provided he is qualified to perform the work of the higher classification. His qualifications to perform the work of the higher classification will be determined within 20 work days of his reinstatement.

The above shall not be applicable to:

- (i) appointments to any classification for which the employee has not attained the top rate of pay of an apprenticeship which is lower in the line of progression to the classification to which he seeks appointment; or
  - (ii) appointment to a classification for which entrance requirements have been negotiated unless the employee has successfully met those requirements before leaving for the service or, following his reinstatement, takes such tests within 20 work days and receives a passing score.
- (b) Promotions to Job Vacancies Occurring After the Employee's Reinstatement

Where appointments to vacancies are dependent on classification seniority, bids to future job vacancies will be given preferential consideration for appointment in the manner set forth in the Labor Agreement Interpretation dated November 27, 1964, titled "Veterans Preference."

For a period not to exceed eight (8) calendar days from the day he is reinstated to the payroll, the prebid of a returning

veteran to job vacancy will be entitled consideration, under the applicable provisions of the Agreements, provided it is properly submitted and postmarked prior to the date of posting the award filling the job vacancy.

2. General Construction Employees

Consideration for reinstatement to a higher classification where such an appointment was made to a junior employee during his absence is limited to those instances where he is qualified to perform the duties of the higher classification and he returns to his former department at a headquarters within the Division District in which he was regularly assigned when he entered the military service.

For the purpose of considering the employee for future promotions (Section 305.5), following his reinstatement, the time spent in the military service will count toward the completion of three years, or more, of continuous service with Company.

G. DEMOTION AND LAYOFF

1. Other than General Construction Employees

- (a) The employee will be affected by reductions in the work forces that occurred during his absence in the same manner that he would have been affected had he remained at work.
- (b) The veteran shall be restored to the position he would have held (or elected) following a reduction of the work forces. The elections provided for in the Labor Agreements may be made at the time the employee requests reinstatement.

2. General Construction Employees

- (a) Same general principles as above as to employees of three or more years' Company seniority. Such seniority includes his military service.

(b) Regular employees of less than three years' Company seniority (including military service): If the employee held a classification higher than Laborer, and if there are employees junior to him on the payroll upon his reinstatement in the classification held by the employee-veteran and who were employed in his area when he was inducted, the veteran is entitled to be restored on the payroll. An exception to this would be where a layoff occurred during his absence that would have affected him and it can be shown that he would have been laid off before employees junior to him because of poor work performance.

(c) Layoff Status - Expenses

If not restored to the payroll, he will be placed on layoff status. His "layoff date" will be the date he requests reinstatement. If restored within 30 days of his request for reinstatement, his expenses will be determined as provided for any other employee who has been laid off and returned to the payroll within such period.

H. SICK LEAVE

1. Regular employees: His prior sick leave accumulation will be restored, in addition to which he will accumulate eighty (80) hours' sick leave for each calendar year of military service, including eighty (80) hours for the year in which he is reinstated, provided such accumulation shall not exceed the allowable maximum.
2. Probationary employees: After attaining regular status, he will be (1) credited with sick leave accumulation as though he had attained regular status and completed his first year of continuous service at his first opportunity, combining his Company and military service, and (2) paid and charged for sick days that occurred following his reinstatement to which his combined seniority qualified him.

I. PAID HOLIDAYS

1. A veteran restored to the payroll as "probationary" (casual) will not be paid for holidays occurring after his reinstatement until he attains "regular status."
2. After attaining "regular status", the veteran is entitled to pay for the holidays that occurred following his reinstatement as though he had attained regular status at the first opportunity, combining both his Company and military service.

J. VACATIONS

1. Other than General Construction Employees

- (a) Vacations may not be taken while the employee continues in a probationary status.
- (b) A regular status employee-veteran or one who has attained regular status in the year of his reinstatement and who has accumulated one year (or more) of Company seniority is entitled to a vacation in the year of his reinstatement based on the allowance provided for an employee with his Company seniority.
- (c) An employee-veteran who will not attain regular status in the calendar year of his reinstatement but who will have accumulated one year or more of Company seniority in that year, will not receive a vacation in the year of his reinstatement. However, if he later attains regular status, the vacation, other than a service anniversary vacation which cannot be deferred, that his Company seniority would have otherwise insured in the previous year may be taken in the calendar year following his reinstatement. Such vacation entitlement shall be considered "deferred" from the previous year.
- (d) Returning veterans who do not meet one of the above criteria shall not be entitled to a vacation with pay for the year of their reinstatement.

(e) "Qualifying Date"

- (i) The employee's previously established "qualifying date" will not be changed by reason of his induction.
- (ii) An employee-veteran who has not established a qualifying date prior to his induction will establish such date as provided for in the Agreements. For this purpose, however, his military service will count toward his "first year of Company employment."

(f) Payoff on Induction

Where a regular employee who has established a vacation "qualifying date" is ordered to report for induction, and it is anticipated that he will not return in that calendar year, he will be paid for all fully earned vacation which has not been taken in that calendar year.

An employee who has not attained a vacation "qualifying date" will not receive a vacation payoff.

2. General Construction Vacations

- (a) The provisions of Sections J-1(e) and J-1(f) above are applicable to General Construction employees.

(b) Calendar Year of Reinstatement

A General Construction employee will not be entitled to a vacation in the year of his reinstatement from the military unless, as provided for above in Section J-1(f), the employee was not qualified for vacation when he left for the military. Such an employee will be allowed a vacation in the year of his reinstatement to the extent that he actually worked prior to his military leave, provided his combined Company service and military time totals one year of continuous employment.



(c) Calendar Year Following Reinstatement from Military Service

In computing vacation entitlement in the calendar year following reinstatement, the time spent in the military service in the preceding calendar year shall be counted as time worked.