

PG-4-E

FOR INTRA - COMPANY USES

DIVISION OR DEPARTMENT INDUSTRIAL RELATIONS

FILE NO. 741.5

RE LETTER OF SUBJECT East Bay Division Grievance No. D.Gr/C 1-74-9

Denied Emergency Overtime While Employee Off Sick Was Called
P-RC 113

March 27, 1975

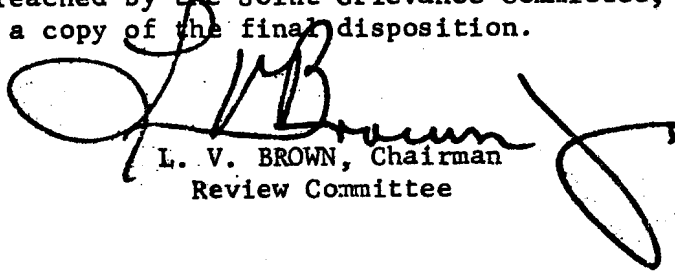
MR. C. E. ALTMAN, Chairman
East Bay Division
Joint Grievance Committee

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned to the Division for settlement in accordance with the following:

The record is clear that the utilization of Mr. Horton on the days in question was contrary to the provisions outlined in Section 212.3 of the Agreement. It is the opinion of the Pre-Review Committee that the circumstances involved in this grievance do not lend themselves to the precise determinations established in Section 212.11, and for that reason the Committee will rely on the parties' intent of Section 212.3 as a means of resolving the issue and establishing settlement guidelines for future-like cases.

As to the proper administration of Section 212.3, the Pre-Review Committee agrees that a system will be established that provides for the notification of the on-call supervisors when employees have reported off sick during regular work hours after which they will not be called for overtime and; in turn, such employees will not be charged with failure to respond until they return to work on a regular work day. It will be the responsibility of the employees to inform the on-call supervisor of their call-out status and those situations when they are off sick and inadvertently called for emergency duty. In the case at hand, a grievance would not have occurred (1) had a system of notification been established to inform the appropriate supervisor of current changes of status on the on-call list, and (2) had Mr. Horton informed the supervisor of his on-call status, pursuant to the provisions of Section 212.3, rather than responding to the call-out without comment. For the above reasons, the Joint Grievance Committee should resolve the grievance without adjustment.

When a settlement is reached by the Joint Grievance Committee, the Review Committee should be sent a copy of the final disposition.



L. V. BROWN, Chairman
Review Committee

DJBergman:rto

cc: WDSkinner
IWBonbright
Personnel Managers
LNFoss, IBEW

EAST BAY DIVISION

MINUTES OF JOINT GRIEVANCE COMMITTEE MEETING

1625 CLAY STREET, OAKLAND
11:00 A.M., APRIL 23, 1975

PRESENT

Committee Members, Pacific Gas & Elec. Co.

C. E. Altman, Div. Steam Supt., Chairman
W. Funabiki, Div. Gas Supt.
W. H. Peterson, Div. Elec. Supt. (Absent)

Representing Pacific Gas & Elec. Co.

R. F. Pape, Div. Personnel Manager

Guests

None

Committee Members, Local Union 1245, I.B.E.W.

R. W. Gibbs, Electric Department
J. E. McCauley, Gas Department
S. L. Kelly, Gas Department
R. C. Collins, Steam Electric Generation

Representing Local Union 1245, I.B.E.W.

V. Stamps, Union Business Representative

Guests

J. B. Hill, Union Business Representative

The minutes of the February 26, 1975, meeting under "Old Business", were revised to include the statement by the Pre-Review Committee regarding re-dialing (Grievance Nos. 1-74-10, 1-74-35 and 1-74-42) as follows:

1. GRIEVANCE NOS. 1-74-10, 1-74-35 and 1-74-42 - ALLEGED DENIAL OF CALL OUT FROM EMERGENCY OVERTIME CALL-OUT LISTS.
(page 283)

Disposition:

Letter dated February 10, 1975, from L. V. Brown, Jr., Chairman, Review Committee, to C. E. Altman, Chairman, East Bay Division Joint Grievance Committee. These grievances were referred back to the Joint Grievance Committee with the recommendation "....that in the future the Division incorporate in their on-call system a procedure that allows the supervisor to check himself and eliminate possible mistakes by re-dialing the employee's phone number when a busy signal is received or there is no answer...." The Committee agreed with the suggested changes and these cases were closed.

CORRESPONDENCE:

1. Letter dated March 19, 1975, from L. V. Brown, Jr., Chairman Review Committee, to C. E. Altman, Chairman, East Bay Division Joint Grievance Committee, concerning East Bay Division Joint Grievance Committee Case No. 1-74-8 - Denial of Meal Payment Following Overtime Work. This grievance was returned to the Division with the comment that "....the grievant was not entitled to a meal for the shift at issue." The Joint Grievance Committee agreed to settle this grievance according to the recommendation of the Pre-Review Committee. This case is considered closed.

2. Letter dated March 27, 1975, from L. V. Brown, Jr., Chairman, Review Committee, to C. E. Altman, Chairman, East Bay Division Joint Grievance Committee, concerning East Bay Division Joint Grievance Committee Case No. 1-74-9 - Denied Emergency Overtime While Employee Off Sick Was Called. This grievance was returned to the Division with recommendations for establishing a system of notification to the on-call supervisor when an employee becomes ill and goes home from work early. The Joint Grievance Committee agreed to settle this grievance according to the guidelines from the Pre-Review Committee. This case is considered closed.

OLD BUSINESS:

1. GRIEVANCE NO. 1-74-14 - DENIAL OF SICK LEAVE BENEFIT TO AUXILIARY OPERATOR, AVON
(page 285) POWER PLANT.

Disposition: No agreement could be reached in the settlement of this grievance at the local level, and Union requested that it be forwarded to the Review Committee. It will be prepared and forwarded.

2. GRIEVANCE NO. 1-74-15 - ALLEGED VIOLATION OF TITLE 212, EMERGENCY OVERTIME CALL OUT, LINEMAN, ELECTRIC DEPARTMENT, FREMONT.

Disposition: After discussing this grievance, it was agreed that the Chairman appoint a Sub-committee comprised of Messrs. Stamps and Pettigrew to set up reasonable guidelines, in the event of similar cases in the future.

Union agreed to withdraw this case without prejudice.

NEW BUSINESS:

None.

GENERAL DISCUSSION:

Several items of mutual interest were discussed.

The meeting was adjourned at 11:45 a.m. The next meeting will be held on Wednesday, May 28, 1975, at 10:30 a.m. on the Sunporch of 1625 Clay Street, Oakland.


P. E. PETTIGREW
Secretary

PEP:bb

cc General Office 46
Department Hds. 35
District Mgrs. 39
Union 145