

# REVIEW COMMITTEE

**PG and E**

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**IBEW**



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L.N. FOSS, SECRETARY

L.V. BROWN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Coast Valleys Division Grievance No. 18-76-7  
P-RC 228  
Emergency Overtime

May 5, 1976

MR. D. W. PHIPPS, Chairman  
Coast Valleys Division  
Joint Grievance Committee

The above-subject grievance has been discussed by the Pre-Review Committee and is being returned to the Joint Grievance Committee for further investigation and discussion.

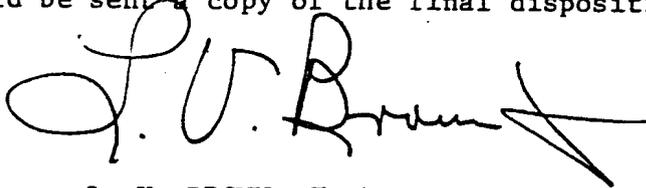
The grievance concerns the bypass of a Lineman for emergency duty on February 5, 1976 in that his response time from home to the service center would have been from 45 minutes to one hour. The emergency did not involve immediate hazard to life or property. The record submitted to the Review Committee is inadequate and does not provide the necessary information to resolve a Title 212 "emergency duty" dispute. The grievant is alleging that he should be reimbursed for the number of hours worked by the crew pursuant to Subsection 212.11(b) of the Physical Agreement. Before this is possible, it has to be determined that the headquarters involved was applying the provisions of Title 212 in its entirety. The weekly call-out list and six-month sign-up list as provided for in Subsections 212.2(a)&(b) are mandatory, as well as the record indicating whether overtime was actually received or credited as if worked, under Section 212.3 of the Agreement. Until this determination is forthcoming, a disposition as to whether a contractual violation occurred and the grievant's entitlement, if any, are not possible.

Assuming that the headquarters involved was applying the provisions of Title 212 as written, the bypass of the grievant, in this case, due to a response time of 45 minutes to one hour was improper. Supervision cannot allow the grievant to sign up on the weekly call-out list and then summarily bypass him for each call-out notwithstanding the type of emergency. The Agreement allows for preferential consideration to those employees who are located within 30 minutes automotive travel time when the emergency involves immediate hazard to life or property. The question does arise, however, as to when it would be proper to restrict an employee participating in the overtime call-out procedure due to an excessive response time, and to that end,

May 5, 1976

the Pre-Review Committee is of the opinion that response times of 60 minutes or less are reasonable and, except for the exception already noted, employees cannot be denied their contractual rights of equitable distribution of emergency overtime as provided for in the Labor Agreement.

After the Joint Statement of Facts is completed, the Joint Grievance Committee should again attempt to resolve the case in view of the above, and if not, the case should be returned to the Review Committee for settlement. Should the Joint Grievance Committee resolve the grievance, the Review Committee should be sent a copy of the final disposition.



L. V. BROWN, Chairman  
Review Committee



L. N. FOSS, Secretary  
Review Committee

DJBergman:rto

cc: WLMurray  
IWBonbright  
Personnel Managers