

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
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L.N. FOSS, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Shasta Division Grievance No. 13-71-78-27
Fact Finding Committee No. 1042-78-335
P-RC 438 (Revised)
Returned to Regular Shift Before Overhaul Completed

October 15, 1979

MR. E. M. CONWAY, Company Member
Shasta Division
Local Investigating Committee

MR. R. M. HAFNER, Union Member
Shasta Division
Local Investigating 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, pursuant to Section I B(1) of the Review Committee procedure, to the Local Investigating Committee for settlement in accordance with the following:

This case involves an interpretation of Paragraph Q1 of the Labor Agreement Clarification of Section 202.17, dated July 31, 1969. Under the facts of this case, Hydro Department employees were performing an overhaul on the units of Pit 3 Powerhouse under the provisions of Section 202.17 on a three-shift basis. During the overhaul, Power Control temporarily cancelled the clearance at Pit 3, and as a result, employees working on the overhaul were returned to their regular day shift, which hours were 8:00 AM to 4:30 PM. This occurred on three different occasions during this overhaul; two interruptions lasted two days each, and one lasted three days. The reason given for the interruption was that Power Control anticipated the load would increase based on hot weather during this time and needed the spinning reserve required by having Pit 3 available.

The question then is whether or not this interruption by Power Control was a circumstance beyond Company's control, which is one of the conditions under Paragraph Q by which Company may reschedule employees working under a Section 202.17 arrangement. After considerable discussion and review of additional information provided by Power Control, the Committee determined the following:

May 30, 31 and June 6 - The interruptions on these dates were occasioned by hot weather, minimal spinning reserve, and full utilization of all other Company generating resources. As a result, the interruptions here were unplanned and beyond Company's control, and no adjustments under the grievance procedure are necessary.

October 15, 1979

June 7, 8, 12 and 13 - On June 7 and 8, Company had other generation available, and the Pit cancellation, at this point, becomes one which is "... according to plan ..." as noted in Paragraph Q.2. On June 12 and 13, the employees were supposed to begin an overhaul of Pit 7, under a continuance of the Section 202.17 schedule. Power Control had earlier canceled the clearance for Pit 7 and withheld such clearance until June 14. As a result, the employees were rescheduled to the day shift during this time. As other generation was available, this too, was a Paragraph Q.2. situation.

On June 7, 8, 12 and 13, therefore, the employees were improperly rescheduled under Section 202.17, Paragraph Q.1., and their rescheduled hours should be treated as prearranged overtime assignments, with overtime paid accordingly.

This case is considered closed on the basis of the foregoing, and the closures should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



L. N. FOSS, Secretary
Review Committee

PEPettigrew(1123):jac

cc: RJLaRue
IWBonbright
LVBrown
FCBuchholz
JBStoutamore
RHCunningham
Personnel Managers