

REVIEW COMMITTEE201.7
202.23**PG and E****IBEW** PACIFIC GAS AND ELECTRIC COMPANY
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SAN FRANCISCO, CALIFORNIA 94106
(415) 781-4211, EXTENSION 1125INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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(415) 933-6060
R.W. STALCUP, SECRETARY**CASE CLOSED
LOGGED AND FILED**

FEB 27 1986

RECEIVED FEB 26 1986

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Nuclear Plant Operations Grievance No. 22-57-84-6
P-RC 987

February 21, 1986

CHER ANTHONY, Company Member
 Nuclear Plant Operations
 Local Investigating Committee

DAVID H. REESE, Union Member
 Nuclear Plant Operations
 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 Step Five A(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case questions the appropriate rate of pay for travel time associated with attending training classes.

Facts of the Case

In accordance with standards adopted by Cal/OSHA, the Company has established private fire brigades in the various generating plants, including Diablo Canyon. Maintaining such brigades requires both hands-on and classroom training on an on-going basis. The annual hands-on training is provided to employees in off-site locations which leads to the subject of the grievance. Inasmuch as the employee is, for the duration of the training, assigned to a temporary headquarters, he is entitled to pay for travel time that occurs outside of regular work hours. The issue is whether the travel time rate is time and one-half or straight time, pursuant to Sections 202.23 or 201.7, respectively.

Discussion

Union's position in this case was that the provisions of Sections 201.7-201.12 are applicable only to Company-Union negotiated training schools, classes, courses, etc., stating that these provisions were negotiated in 1966 along with the Master Apprenticeship Agreement. Union stated that financial relief in the payment of the travel time expenses was sought by the Company to partially offset the cost of training.

Union further objected to Company's scheduling of Operators to attend the one-day fire brigade training when assigned to the E schedule at Diablo Canyon. Union members opined that this day schedule was negotiated for the sole purpose of allowing Operators time to study during work hours in order to pass

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the tests necessary to maintain their Nuclear Operator's License.

Company did not disagree with much of the Union's assertions. However, the Company pointed out that nowhere in Sections 201.7-201.12 are the provisions limited to negotiated training classes.

Further, Company has historically utilized the provisions of Sections 201.7-201.12 for all types of training assignments, negotiated or not. Finally, as evidence of its position, the Company cited a Fact Finding grievance settlement (884) awarding travel time at the straight time rate for attendance at the now defunct Crew Foreman's Workshop, a non-negotiated school.

Decision

The Pre-Review Committee is in agreement that generally Operators who are required to maintain a nuclear license will not be given other assignments while on the E schedule to the extent that their study time is undermined. In the instant case, assignment to the one-day Fire Brigade Training off site, is considered de minimus when compared to the approximate 50 days per year that such Operators are assigned to the E schedule.

The Committee agreed that the provisions of Sections 201.7-201.12 shall continue to be applied to all training classes unless amended through bargaining.

This case is considered closed based on the foregoing, and such closure should be so noted by the Local Investigating Committee.


DAVID J. BERGMAN, Chairman
Review Committee


ROGER A. STALCUP, Secretary
Review Committee

MAS:ml