

208.2(c) -Notice to work OT  
given after having  
worked 40 hrs so added wo  
pd at dbl time



## REVIEW COMMITTEE

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
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JUN 1 0 1994

**CASE CLOSED  
LOGGED AND FILED**

**RECEIVED JUN 1 0 1994**

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(510) 933-6060  
R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Diablo Canyon Grievance No. 22NPG-466-91-58  
P-RC 1680

Diablo Canyon Grievance No. 22NPG-487-91-79  
P-RC 1682

### Subject of the Grievance

These cases concern the eligibility for double-time and travel-time for overtime work which the employees were notified of after already working 40 hours in a week and during a workday in which the employees were being paid at the time-and-one-half rate.

### Facts of the Cases

The Diablo Canyon Power Plant Mechanical Maintenance Department was placed on a 4-day, 10-hour schedule during the Unit 2 refueling outage in 1991. During the last week of the outage, employees worked 4 ten-hour days on Monday, August 26 through Thursday, August 29.

On Friday, August 30, employees were returned to their five-day, eight-hour schedule. Employees received the time-and-one-half rate on Friday since they had already worked 40 hours in the workweek. During the Friday workday, employees were informed that they would be needed for an overtime assignment over the Labor Day Weekend, including Saturday, August 31; Sunday, September 1; and Monday, September 2. Employees were paid at the time-and one-half rate during the Labor Day weekend and did not receive travel time.

### Discussion

The Union opined that the employees should be paid at the double-time rate and receive travel-time in accordance with Sections 208.2 and 208.6 of the Physical Agreement. The Union noted that notification occurred after the employees had already worked 40 hours that week and during a period when they were being paid at the overtime rate.

The Company argued that Friday, August 30, was a regular workday and that the employees were notified of the Labor Day overtime assignment during this regular workday. The Company noted that the employees were scheduled to work Friday to allow them to receive 80 hours of work in the two week pay cycle.

Decision

The Pre-Review Committee reviewed Section 202.1; specifically the definition of a basic workweek. The Committee believes the intent of the parties was that a basic workweek is 40 hours, except workweeks on certain alternate hours (e.g., 12 hours) schedules. In the case of point, the Committee notes that the grievants had already completed a forty hour workweek at the time they were notified of the overtime assignment. It is the opinion of the Committee that since a grievants were notified of the overtime assignment after completing a 40 hour workweek; they are entitled to the double-time rate and travel time for the Labor Day weekend overtime assignment.

This case is closed on the basis of the above settlement.

  
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John A. Moffat, Chairman

  
\_\_\_\_\_  
Roger W. Stalcup, Secretary

6/9/94  
Date

6/9/94  
Date