



REVIEW COMMITTEE



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**CASE CLOSED
FILED & LOGGED**

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

MARGARET A. SHORT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Grievance No. OAK-94-85
Fact Finding No. 6152-95-169
P-RC 2022

COLLINS ARENGO
Company Member
Local Investigating Committee

JANE BRUNNER
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns Meter Readers not being paid for 8 hours after the completion of their routes on a Mandatory Read Saturday during inclement weather.

Facts of the Case

Saturday, November 5, 1994 was a scheduled Saturday read day. The grievant's hours were 7 a.m. to 3:30 p.m. On this day it was raining very heavily. The grievant read a full route and returned to the office at 1:30 p.m. after finishing her route. The Sr. Meter Reader allowed her and others to leave as they returned. There were two subsequent Scheduled read days: December 3, 1994 and January 7, 1995. It also rained on those days.

The Meter Reader logs included in the file indicate that the earliest anyone was released was 1:30 p.m. The grievants were paid for actual time worked. The grievant testified that on inclement days, the Meter Readers complete their routes earlier because they don't take lunch or breaks.

Discussion

The Union cited Section C.2.C. of the Meter Reader Agreement. It states:

"Meter Readers working in extremely uncomfortable weather other than extreme heat, may with the permission of the supervisor when available, leave the office immediately upon completion of their day's work and still be paid for the full day."

The Company cited Section 12.7(c) of the Clerical Agreement. It states:

"When, at the request of the supervisor in charge, an employee reports for prearranged work...(c)on non-workdays during regular work hours, the employee shall be paid overtime compensation only for actual work time..."

The Pre-Review Committee noted that dates of the Scheduled Saturdays are known to Meter Readers at the beginning of each year. There are always two or three Scheduled Saturdays per year that are built into the regular annual read schedule. They are required overtime days for all Meter Readers systemwide. There may be other occasions when a particular office is behind and requires the Meter Readers in that location to work overtime, but that is not the situation giving rise to this grievance.


Surveys indicate a mixed practice with respect to pay on the Scheduled Saturday Read Days. Some areas pay for actual time worked, others pay for a full eight hours if at least six hours are worked.

The Pre-Review Committee is in agreement that Meter Readers are to return to the office directly upon completion of their routes and that they may be assigned other work or be provided training. On inclement weather days, such as in this case, the supervisor may send the employee home early without docking pay.


Decision

The Pre-Review Committee is in agreement that those Meter Readers in this location who completed their assignment and had permission to go home early are to be paid for eight hours. Future application of this interpretation shall apply to all Meter Readers but only on inclement weather Scheduled Saturday Read Days when permission to leave is granted by the exempt supervisor. On other assignments overtime will only be paid for actual time worked.


This case is closed based on the foregoing and the adjustment contained herein.



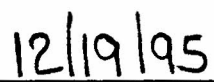
Margaret A. Short, Chairman
Review Committee



Date



Roger W. Stalcup, Secretary
Review Committee



Date