



REVIEW COMMITTEE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

DYLAN GOTTFRIED, CHAIRMAN

KIT STICE, SECRETARY

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Pre-Review Committee Number 24592 Electric T&D —Santa Rosa

Deanna Frederickson
Company Member
Local Investigating Committee

Mark Wilson
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the Company not paying the upgrade rate of pay of an Electric Crew Foreman to a Lineman for a rest period that was earned at the upgrade rate.

Facts of the Case

The Grievant earned a rest period while he was on a daily timecard upgrade. The dates that the Lineman was upgraded were as follows:

2/26/18 No upgrade
2/27/18 Upgraded to Foreman- earned a half day rest period
2/28/18 Upgrade to Foreman, not paid the rest period at the Foreman rate

3/7/18 Upgrade to Foreman, earned rest period and not paid at the Foreman rate
3/8/18 No upgrade
3/9/18 Upgraded to Foreman

Discussion:

The Union opined that a Company memo from February 1974 from a Division Manager noting payments of rest periods earned on a daily upgrade will be honored at the upgraded rate if the employee met specific guidelines. The memo states:

“Furthermore, it would appear that he should have been paid at the Troubleman rate as he had earned the rest period as a Troubleman and served in that upgrade capacity for the three previous days.”

The Company opined the Grievant did not work three previous days as a Foreman and thus the memo from 1974 would not apply. Furthermore, the Company contended that the memo from 1974 was not a binding agreement between the parties, rather a local agreement made for a specific payroll inquiry with the memo memorializing the follow up to the local business representative with regards to the outcome of said payroll inquiry.

The Company noted that all entitlements that are paid to employees while they are on a daily timecard are paid at the employees’ base rate. Additionally, there is language in 103.12; 103.13; and 111.9(b) that all speak to the separation of rates of pay while employees are on a daily upgrade or a payroll change tag.

Decision

The Committee agreed that the rate of pay for the payment of a rest period earned while on a daily timecard upgrade will be paid at the regular classification rate of pay and not at the daily upgraded rate. Based on the decision above this case is closed.

For the Company:

For the Union:

/s/ Dylan Gottfried 04/23/2019
Dylan Gottfried, Chairperson Date
Review Committee

/s/ Kit Stice 04/23/2019
Kit Stice, Secretary Date
Review Committee