

REVIEW COMMITTEE DECISION

R. C. FILE NO. 63 - Humboldt Division Grievance No. 24
Establishing Shifts at Humboldt Substation

SUBJECT OF GRIEVANCE:

Automatic control equipment failed to function at Humboldt Substation and it became necessary to perform manual operations for a period of approximately ten weeks while repairs were being made. The Division assigned three employees to perform the required operational work and assist in the repairs. Their hours of work for the first four weeks were established on a pre-arranged work basis and overtime was paid for all work performed outside of their regular work hours. Commencing the fourth week and thereafter the Division utilized Section 202.17 of the Physical Agreement to establish additional shifts (7:00 a.m. to 3:00 p.m. and 11:00 a.m. to 7:00 p.m.). The employees involved continued to work for the balance of the job during such hours but were not paid at the overtime rate, except as provided in Section 202.17 for the first four days of the established shifts. The Union filed a grievance maintaining that Section 208.12 of the Agreement which outlines pre-arranged work conditions was applicable to the last six weeks of work as it had been to the first four weeks.

STATEMENT AND DECISION:

Under the circumstances detailed in the statement of facts pertaining to this grievance this Committee believes that Section 202.17 of the Physical Agreement was not applicable and should not have been utilized by the Division. There is some question as to whether or not additional shifts in this instance were required for the work performed. For example, most of the work was accomplished during regular work hours; also, the pre-arranged work application with respect to the job conditions continued for a period of four weeks before the shifts were established, and during that period the employees were paid overtime rates for work performed outside of their regular work hours. It is this Committee's opinion, therefore, that such employees should be compensated in the same manner for the duration of their work on the Humboldt Substation job.

FOR UNION:

Russell Stone, Jr.
Edward James
Elmer B. Bushby

By

Elmer B. Bushby

Date 2-18-1955

FOR COMPANY:

H. F. Carr
R. J. Tilson
V. J. Thompson

By

V. J. Thompson

Date February 10, 1955