

REVIEW COMMITTEE DECISION

Review Committee File No. 293
De Sabla Division Grievance No. 76

Facts of the Grievance

At approximately 6:00 a.m., Saturday, November 26, 1960, a Chico District Line Crew, consisting of a Heavy Foreman and five other employees, was called out to perform emergency work on distribution facilities in the Feather River area. The crew was called by the District Electric Superintendent, who informed one member of the crew that he should bring extra clothing. Nothing was said as to the crew remaining away from their headquarters overnight. The crew worked on the repair of the 44 kv river crossing line until about 6:00 p.m. that night. During the course of the evening meal,, the Foreman and the Division Hydro Superintendent discussed lodging arrangements for the crew at Storrie. Whether or not the members of the crew were informed of this decision is uncertain. Following dinner the crew returned to the trouble and worked until the following morning, at which time they were returned to Storrie and told to rest until further instructions were received. At about 8:00 a.m. the Foreman received a call from the District Representative at Quincy and was instructed to awaken his crew and complete the repairs at Grass Flat. The crew was awakened, and after eating breakfast proceeded to the work site where they worked the remainder of the day.

The grievance arose when the men requested payment at the overtime rate for the time spent in Storrie Sunday morning. The Division denied their request contending that Storrie had become a temporary headquarters, and as the men were released from work they were not entitled to pay. The employees contend, however, that they were not dismissed from work but were merely waiting further instructions before proceeding with the work at hand.

Discussion

Section 201.1 indicates that employees may be assigned to a temporary headquarters when their work is at such a distance from their headquarters or place of abode that it is impractical for them to return to either one. Furthermore, Section 202.22 provides that Company shall return employees to their regular headquarters at the conclusion of each job; but, when in its opinion it is impractical to return, Company shall give as much advance notice as possible to employees who are required to remain at a temporary headquarters.

The question in this case is whether a temporary headquarters was established Sunday morning. For the Review Committee to reach the conclusion that a temporary headquarters was established, in this instance, it is necessary that the facts indicate that such an understanding was reached with the crew.

When the Supervisor is aware at the commencement of the job that the employees will not return to their headquarters, but will remain at temporary headquarters, a clear understanding should be reached with the employees before leaving the regular headquarters. It is evident from the facts of this case that no such understanding was reached with the

crew at the time they departed from their headquarters. It is recognized, however, that in some instances the need for establishing a temporary headquarters will not arise until after the crew has left the headquarters. In such situations, the Supervisor should inform his crew as to the reason for establishing a temporary headquarters when knowledge of the need first arises. The Division contends that such was the case here. The facts are not clear, but it appears that no such understanding regarding the establishment of a temporary headquarters was actually reached with all of the employees. During the Saturday evening meal some discussion took place but apparently no definite decision was made.

Decision

It is the decision of the Review Committee that under the facts of this case, the employees were not assigned to a temporary headquarters, and that the 3½ hours designated as time off without pay shall be considered work time. The employees are entitled to overtime compensation for the period in question.

FOR UNION:

Kenneth Stevenson
W. M. Fleming
L. L. Mitchell

By

L. L. Mitchell

Date

Oct 16, 1961

FOR COMPANY:

E. F. Sibley
C. L. Yager
V. J. Thompson

By

V. J. Thompson

Date

October 12, 1961