

REVIEW COMMITTEE DECISION

Review Committee File Number 337  
San Jose Division Grievance Number 8-4

Subject of the Grievance

The employees concerned in this grievance reported for work at 8:45 p.m. on Sunday, October 22, 1961, and worked until 4:15 a.m. on October 23. In addition to being paid travel time to their headquarters, the employees were paid 15 minutes travel time from their headquarters to their homes, and meal time, following dismissal from work. Following this, the employees reported for work at 8:00 a.m. on October 23 and worked their regular shift.

The Union contends that all travel time and meal time after dismissal from work is to be computed as time worked for the purpose of determining if the employees are entitled to a 6-hour rest period as provided for in Section 208.11 of the Agreement.

Discussion

Section 208.11 of the Physical Agreement provides: "If an employee has worked for eight (8) hours or more at the overtime rate during the 16-hour period immediately preceding the beginning of his regular work hours on a work day, he shall be entitled to a rest period of 6 consecutive hours on the completion of such overtime work."

- (a) There shall be included as hours worked at the overtime rate in such sixteen (16) hour period any travel time and meal time to which the employee is entitled when emergency or prearranged work is performed, except that any travel time and meal time to which he is entitled after being dismissed from work shall be included in the computation of his 6-hour rest period." (Emphasis added)

A similar question arose in Review Committee File Number 30. The decision rendered in that case, which later served as the basis for amending Section 208.11 on September 1, 1954, provided:

- #1. "All travel time and meal time to which an employee is entitled when emergency or prearranged work is performed, shall be included in computing the hours of overtime work during the 16-hour period immediately preceding the beginning of his regular work hours, except the travel time and meal time to which he is entitled after being dismissed from work. The latter time is to be included in the computation of the employee's 6-hour rest period." (Emphasis added)

Decision

In view of the foregoing the travel time and meal time to which the employees in this case were entitled following completion of the emergency overtime work, is not to be included in computing the hours worked for the purpose of entitling the employee to a rest period.

FOR THE UNION:

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

By

L. L. Mitchell

Date

Mar. 21, 1962

FOR THE COMPANY:

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

By

V. J. Thompson

Date

March 14, 1962