

REVIEW COMMITTEE DECISION

Review Committee File No. 359
East Bay Division Grievance No. 202

Subject of Grievance

The grievant, a Machinist, was part of a crew working at the Pittsburg Power Plant on Saturday, November 11, 1961. During the course of this prearranged overtime work, the employee and the remainder of the crew were notified at 12:00 noon that they would be required to report for work at 8:00 AM the following day, November 12, 1961. Later that day, at 4:00 PM, the entire crew, including the grievant, were notified that the prearranged work for Sunday, November 12, 1961, was cancelled.

The following morning the grievant was called at approximately 8:45 and instructed to report to the Pittsburg Power Plant at once for emergency work. The employee reported as instructed and worked until 3:45 PM on that day. In addition to the overtime pay which he was entitled to on Sunday, November 12, the employee submitted a time-card for two hours' minimum overtime pay as a result of the cancellation of the prearranged work the day before. It is noted that the remainder of the crew also submitted time-cards for the two hours' minimum pay, which the Division approved for payment. The Division did not approve the grievant's request for the two hours' minimum pay, however, as in their view he was not entitled to both the minimum pay and pay for the time worked on Sunday.

The correction asked for by the grievant is that he be paid two hours' minimum pay at the overtime rate as a result of the cancellation of prearranged work.

Discussion

Section 208.14 provides that in the event of the cancellation of prearranged work less than 19 hours before the time the employee is instructed to report, he shall be entitled to overtime compensation for a minimum of two hours, inclusive of any travel time as provided for in Section 208.12. Applying this section to the facts of the case above, it is noted that the employee at the time he was dismissed on Saturday, received less than 19 hours' notice that the prearranged work was cancelled. This, in fact, is evidenced by the Division's payment of the two hours of overtime rate to the remainder of the crew.

Decision

In accord with the foregoing, the employee shall be paid the two-hour minimum.

FOR UNION:

R. W. Fields
W. M. Fleming
L. L. Mitchell

By

L. L. Mitchell

Date

Aug 14 1962

FOR COMPANY:

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

By

[Signature]

Date August 10, 1962