

REVIEW COMMITTEE DECISION

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Review Committee File No. 977
North Bay Division Grievance No. D.Gr/C 4-70-1

Subject

This grievance concerns an alleged violation of Section 208.11 of the Physical Agreement. The grievant worked for six hours on January 1, 1970, at the overtime rate, between the hours of 5:00 PM and 12:00 midnight on two separate calls. At 2:00 AM on January 2, he was called out a third time and worked for one hour until 3:00 AM according to his timecard. The employee was entitled to and paid a two-hour minimum for this third call. The employee worked seven hours and was paid for eight hours.

The grievant contends that because he was paid for eight hours during the 16 hours preceding the beginning of his regular work hours, he is entitled to an eight-hour rest period. The grievant claims he did not receive a full eight-hour rest period and that he therefore is entitled to overtime for all time worked during his regular work hours on January 2, 1970.

Discussion

Subsection 208.11(a) defines those hours which are to be included as time worked at the eight-hour overtime rate during the 16-hour period immediately preceding the beginning of the employee's regular work hours on a work day. The only additional time to be considered as time worked is travel time and meal time to which he is entitled prior to dismissal from work; any other time must be considered to be excluded under this subsection.

Decision

As the grievant only performed work for seven hours, he is not entitled to overtime for work performed during his regular work hours on January 2, 1970.

FOR UNION:

W. H. Burr
M. A. Mederos
J. J. Wilder

By

Date

J. J. Wilder
Jan 26, 1970

FOR COMPANY:

J. A. Fairchild
H. J. Stefanetti
L. V. Brown

By

Date

L. V. Brown
