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FOR INTRA-COMPANY USES

DIVISION OR
DEPARTMENT
FILE NO.
RE LETTER OF
SUBJECT

INDUSTRIAL RELATIONS
741.5

Review Committee File No. 1215
San Joaquin Division Grievance No. D.Gr/C 25-72-15
Change of Vacation Time to Sick Time (D. Toovey)

RECEIVED
SEP 12 1973
LOCAL 1245, I. B. E. W.

August 29, 1973

MR. A. O. CLARK, Chairman
San Joaquin Division
Joint Grievance Committee

The Review Committee has discussed the above-subject grievance and is returning it to the Joint Grievance Committee for settlement in accordance with the following:

The question was brought up with respect to this grievance whether Standard Practice 723-1 concerning the granting of sick leave in lieu of scheduled vacation to exempt personnel has any bearing on bargaining unit employees. To clear up any confusion in this matter, it must be stated that Section 8.10 of the Clerical Agreement controls any such policy with respect to clerical unit employees and that the Standard Practice does not necessarily represent a valid interpretation of that Section. The problem is that 8.10 provides no firm standard.

The Review Committee is of the opinion that practices in similar situations have been inconsistent, and that the development of a general standard is properly a subject for negotiation. Therefore, this case is considered settled without adjustment and without prejudice.

This case is considered closed and should be so noted.

L. V. Brown
L. V. BROWN, Chairman
Review Committee

DJBergman:tma

- cc: EEFoley
- IWBonbright
- JAFairchild
- HJStefanetti
- ADowen
- DSSolberg
- LNfoss, IBEW ✓

PACIFIC GAS AND ELECTRIC COMPANY
STANDARD PRACTICE

VICE PRESIDENT -

STANDARD PRACTICE NO. 723-1EXECUTIVE OFFICE OR DIVISION PERSONNEL AND GENERAL SERVICESPAGE NO. 1 EFFECTIVE 1-1-71ISSUING DEPARTMENT PERSONNEL RELATIONSREPLACING
PAGE NO. All EFFECTIVE 1-1-64

SUBJECT:

VACATIONSSTATEMENTS OF POLICY AND PURPOSE

1. It is the policy to grant annual vacations with pay to regular employees who qualify in accordance with the provisions of this Standard Practice. The purpose of this Standard Practice is to outline the conditions under which vacations will be granted.

APPLICATION

2. This Standard Practice applies in all cases except for employees in classifications represented in a bargaining unit where provision has been made in a union contract, in which case refer to the applicable contract section.

RESCISSIONS

3. Standard Practice No. 723-1, effective 1-1-64, is superseded and should be destroyed.

DEFINITION - "EARNED ANNUAL VACATION"

4. Earned annual vacation is the number of paid vacation days which an employee has earned in the previous calendar year. The number of paid vacation days granted will be determined by the straight-time days worked in the preceding calendar year and years of employment.

ELIGIBILITY

5. An employee will qualify for his first annual vacation upon completion of the first year of continuous employment, as defined in Paragraphs 6 and 7, if he has also attained regular status. Thereafter, on January 1 of succeeding years, an employee qualifies for annual vacation entitlements.
6. First year of continuous Company employment is defined as the completion of 365 calendar days from the date an employee was hired or rehired, whichever is applicable, and reports for work, unless:
 - a. The employee was absent from work during that period for more than a cumulative total of 22 workdays for any reason other than an industrial injury for which he is paid supplemental benefits.
 - (1) Employee absences due to industrial injuries for which supplemental benefits are paid will be included in computing the first year of continuous employment.

PACIFIC GAS AND ELECTRIC COMPANY
STANDARD PRACTICE

VICE PRESIDENT -

EXECUTIVE OFFICE OR DIVISION PERSONNEL AND GENERAL SERVICESSTANDARD PRACTICE NO. 723-1PAGE NO. 2 EFFECTIVE 1-1-71ISSUING DEPARTMENT PERSONNEL RELATIONSREPLACING
PAGE NO. All EFFECTIVE 1-1-64

SUBJECT:

VACATIONS

7. If the employee's absence, as described in Paragraph 6a, exceeds the maximum specified, attainment of the first year of continuous Company employment will be delayed by the cumulative total of workdays of such absence.

a. A holiday on which an employee is not required to work will not be counted as a "workday" for this purpose.

FIRST VACATION

8. An employee who qualifies for his first vacation in the calendar year following the year he was employed or reemployed will be entitled to vacation with pay in accordance with the schedule in Appendix A of this Standard Practice..

a. Occasionally a regular employee will complete his first year of continuous Company employment in the second calendar year following his date of employment. Subject to Paragraphs 11, 12, and 13, such employees shall be entitled to vacation days provided in both Appendix A and B of this Standard Practice.

VACATIONS SUBSEQUENT TO FIRST VACATION

9. Regular employees' vacation entitlements subsequent to the first vacation shall be determined in accordance with Appendix B of this Standard Practice, subject to Paragraphs 11, 12, and 13, which pertain to the effect of absence on vacation.

VACATIONS - PART-TIME EMPLOYEES

10. A part-time employee who has attained regular status, and is regularly scheduled to work less than 40 hours a week will be entitled to vacations with pay under the provisions of Paragraphs 8 and 9, provided, however, that the number of days of such vacation in any calendar year will be based on a ratio of the total straight-time hours worked by him in the previous calendar year to 2080.

EFFECT OF ABSENCE ON VACATION

11. Whenever an employee is absent for less than 22 consecutive workdays in any calendar year by reason of leave of absence or layoff or for less than 66 consecutive workdays in any calendar year by reason of industrial injury, his entitlement to vacation in the succeeding year as provided for in Paragraphs 8 and 9 of this Standard Practice is not affected.

SUBJECT:

VACATIONS

12. When absence exceeds the limits specified in Paragraph 11, the vacation will be affected as follows:
- a. The employee shall, in the following calendar year, forfeit for each 22 workdays of such absence 1/12th (one-twelfth) of the number of days of vacation to which he is entitled, to be computed to the nearest full day.
13. Rather than forego a portion of his vacation as provided in Paragraph 12, an employee may, at his option, take the full vacation to which he would otherwise have been entitled. In such case he will receive no pay for the number of days of vacation taken to which he was not entitled under the provisions of Paragraph 12.

SICK LEAVE

14. An employee will not be required to take his vacation in lieu of sick leave.
15. Employees who become sick while on vacation may request that the Company change that portion of their vacation to sick leave. Such requests will be approved in the following situations:
- a. When an employee has been hospitalized for one or more workdays while on vacation.
 - b. When an employee has been sick enough to require being in bed under a doctor's care for three or more workdays during his vacation.
 - c. Evidence of the above must be submitted for the approval of the employee's Division Manager or Department Head.

COMPUTATION OF VACATION PAY

16. Vacation pay will be computed at the straight-time rate of pay applicable to the employee's regular classification at the time his vacation is taken, except as provided below.
- a. When an employee takes his vacation while working in a temporary classification, it will be at the rate of pay of his regular classification. If he has been working continuously in one or more temporary classifications for at least the four (4) preceding months, his vacation will be at the straight-time rate of pay of the temporary classification in which he is working at the time he takes his vacation.

SUBJECT:

VACATIONS

- b. The vacation pay of an employee who is regularly scheduled to work in dual classifications will be determined as follows:
- (1) Establish the time regularly worked in each respective classification averaged over the four (4) weeks preceding the time his vacation is taken.
 - (2) Compute his vacation pay at the straight rate of pay applicable to each such classification.

TERMINATION OF EMPLOYMENT

17. A terminating employee will be paid a vacation allowance as specified below.
- a. A vacation allowance of 1/12th (one-twelfth) of his annual vacation for each full month of available workdays he has worked after January 1 of the year in which his service terminates and a similar allowance for any unused vacation he has earned in the calendar year, or years, preceding his severance provided that:
- (1) He was first employed before December 31, 1969 and he retired from the Company's service under the provisions of the Company's Retirement Plan, or
 - (2) He was first employed or reemployed after December 31, 1969, or
 - (3) His vacation entitlement as of December 31, 1970 was calculated on the basis of his earlier transfer from a General Construction department to any other functional organization.
- b. A vacation allowance equivalent to the unused vacation earned in the calendar year, or years, preceding severance will be paid to all terminating employees not covered in Paragraph 17a.

VACATION PAY ON RETIREMENT

18. An employee who is retiring under the provisions of the Company's Retirement Plan may elect to receive a lump-sum vacation payment in lieu of taking earned vacation, subject to the following limitations:
- a. The lump-sum vacation payment for accrued vacation may not exceed an amount equal to the current annual vacation pay to which he is entitled in the year in which he is being retired.

PACIFIC GAS AND ELECTRIC COMPANY
STANDARD PRACTICE

VICE PRESIDENT -

STANDARD PRACTICE NO. 723-1EXECUTIVE OFFICE OR DIVISION PERSONNEL AND GENERAL SERVICESPAGE NO. 5 EFFECTIVE 1-1-71ISSUING DEPARTMENT PERSONNEL RELATIONSREPLACING
PAGE NO. A11 EFFECTIVE 1-1-64

SUBJECT:

VACATIONS

- b. Any vacation in excess of the value of the current annual vacation must be taken prior to the employee's date of retirement.
- c. An employee who qualifies for a Service Anniversary Vacation as described in Paragraph 4, Appendix B, in the year in which he retires must take such additional vacation prior to his retirement.

SCHEDULING OF VACATIONS

- 19. Vacations may be taken at any time during the calendar year with the approval of the employee's immediate supervisor, subject to the needs of rendering proper service to the public or minimal staffing requirements.
- 20. A vacation period will generally commence on Monday, except for those employees whose workweek starts on a day of the week other than Monday, in which case the vacation period will commence on the starting day of the workweek.
- 21. Earned vacation days will be taken each year in the following order:
 - a. Deferred vacation from the preceding calendar year, when applicable.
 - b. The Service Anniversary Vacation, when applicable.
 - c. Current year annual vacation.

APPROVED BY

DISTRIBUTION

Executive Officers
 Department Heads
 Division, District, and Local Managers

ADDITIONAL COPIES

Additional copies of this Standard Practice may be obtained from Personnel Relations, 245 Market Street, Local 2852.

1. Employment date (see Paragraph 7).

| <u>From</u> | <u>To Inclusive</u> | <u>Days of Vacation</u> |
|--------------|---------------------|-------------------------|
| January 1 | February 3 | 10 |
| February 4 | March 9 | 9 |
| March 10 | April 11 | 8 |
| April 12 | May 14 | 7 |
| May 15 | June 16 | 6 |
| June 17 | July 19 | 5 |
| July 20 | August 21 | 4 |
| August 22 | September 23 | 3 |
| September 24 | October 26 | 2 |
| October 27 | November 28 | 1 |
| November 29 | December 31 | 0 |

1. A regular employee will be entitled to a vacation of 10 workdays with pay in the 2nd calendar year and in each year thereafter, up to and including the 9th* calendar year, following his latest employment date.

*Effective January 1, 1972 substitute 7th for 9th.

2. A regular employee will be entitled to a vacation of 15 workdays with pay in the 10th** calendar year and in each year thereafter, up to and including the 19th*** calendar year, following his latest employment date.

**Effective January 1, 1972 substitute 8th for 10th.

***Effective January 1, 1972 substitute 17th for 19th.

3. A regular employee will be entitled to a vacation of 20 workdays with pay in the 20th**** calendar year following his latest employment date and in each year thereafter.

****Effective January 1, 1972 substitute 18th for 20th.

4. A regular employee other than a part-time employee will be entitled to a Service Anniversary vacation of five workdays in addition to the vacation to which he is otherwise entitled, subject to the following conditions:

- a. The Service Anniversary vacation is earned in the year in which it is anticipated that the employee will complete his first five years of employment, and in each 5th calendar year thereafter.
- b. An employee acquires no right to all or any part of the Service Anniversary vacation unless he works in the calendar year in which it is to be granted.
- c. A Service Anniversary vacation must be taken in the year in which it is earned or it will be forfeited.