

REVIEW COMMITTEE**PG and E****IBEW**

PACIFIC GAS AND ELECTRIC COMPANY
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CASE CLOSED
LOGGED AND FILED

APR 1 1985

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED MAR 29 1985

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Review Committee Decision No. 1602-84-37
East Bay Division Grievance No. 1-1954-83-142

Subject of the Grievance

This case concerns an alleged emergency overtime bypass.

Facts of the Case

On July 2, 1983 an emergency overtime assignment occurred at approximately 3:00 p.m. The on-call supervisor, using the 212 sign-up list, began calling out an Electric crew comprised of a Line Subforeman and two Linemen. He contacted the number one Subforeman who responded. The number one Lineman was not at home; the number two Lineman responded; the number three Lineman had excused himself for the day; the number four Lineman was working prearranged overtime; and the number five Lineman is the grievant.

The on-call supervisor contacted the Line Subforeman in charge of the prearranged overtime crew to ask about the availability of the number four Lineman. The POT Subforeman stated they were within one-half hour of completing their job and the number four Lineman could be released immediately. The number four Lineman took a truck and returned to the yard to meet the two employees called out from home. As it turned out, the prearranged work took another two and one-half hours to complete. The emergency work lasted six and three quarter hours.

Discussion

The grievant alleges that he should have been called since the number four Lineman was already working prearranged overtime. Section 212.3 of the Physical Agreement states in part:

"When an employee is on vacation or is working or is scheduled to work prearranged work, who would otherwise have been called for overtime, he will not be credited with the equivalent overtime if he does not work it."

This Section does not prohibit the use of an employee who has signed the Title 212 list for emergency work if that employee is already working or is scheduled to work prearranged overtime, it simply states that

the employee will not be charged with a no response or credited with the emergency hours if he does not work the emergency assignment.

In most situations, a supervisor would not consider calling for emergency work an employee who is already working prearranged overtime or who is scheduled to begin prearranged work before the anticipated conclusion of an emergency assignment. However, in this instance, the on-call supervisor apparently did not want to exclude the number four Lineman who was next on the list from consideration for the EOT assignment.

The Union expressed concern that supervisors would begin routinely using employees who are performing prearranged overtime work for emergency work to avoid the payment of double time; that using employees who are already working discourages other employees from signing the Title 212 call-out list.

The Company cited Pre-Review Committee No. 779 as a safeguard to the Union's first concern, and to the second responded that the Company continues to encourage employees to sign the weekly list.


Decision

The Review Committee agreed that there was no contractual violation and further agreed that in this very limited set of facts, the six and three quarter hours of emergency work performed by the number four Lineman should, if it was not, have been posted to his emergency overtime accumulation. The Committee came to this conclusion because the supervisor was utilizing the Title 212 list and if the number four Lineman had not been signed up, he would not have worked this assignment.

This case is considered closed without adjustment.

FOR COMPANY:

M. E. Bennett
F. C. Buchholz
R. C. Taylor
D. J. Bergman

By 

Date 3-28-85

FOR UNION:

P. Nickeson
F. Pedersen
A. Watson
R. Stalcup

By 

Date 3/28/85