



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
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CLAIRE IANDOLI, CHAIRMAN
☐ DECISION
☐ LETTER DECISION
☐ PRE-REVIEW REFERRAL

KIT STICE, SECRETARY

Pre-Review Committee Number 23432 Electric – Gates Substation – San Joaquin

Deborah Harper
Company Member
Local Investigating Committee

Mark Rolow
Union Member
Local Investigating Committee

Subject of the Grievance

This case concerns the Company not paying a GC Electrical Technician at the double time rate during his regular shift following an overtime assignment.

Facts of the Case

The grievant has 9 years of service and is headquartered at the Gates Substation. The grievant's normal shift is Tuesday through Friday from 07:00 to 17:00

During the 16 hours prior to the start time of his regular shift (07:00 Tuesday 10/13/15) the grievant worked as follows:

- 7 hours at the overtime rate – 15:00 through 22:00 on 10/12
- 8 hours off – 10/12 at 22:00 through 06:00 on 10/13
- 1 hour at the overtime rate – 06:00 through 07:00 on 10/13

Discussion

The Union argued that only when an employee has taken a rest period of eight consecutive hours after fulfilling the requirement provided for in section 308.11, those hours worked prior to the rest period shall not be counted again to determine another rest period.

The Company argued Pursuant to 308.14 an employee is entitled to a rest period of 8 consecutive hours. Pursuant to 308.14(b) hours worked prior to any 8 hour rest period shall not be included in computing another period of overtime work. The grievant had 8 hours of rest between the end of his overtime assignment at 2200 on October 12 and the beginning of his POT assignment at 0600 on October 13; therefore he received 8 hours of rest.

Decision

This settlement is non-precedent setting and shall be without prejudice to the party's respective positions on this issue. This settlement shall not be deemed a waiver by the Union of rights to grieve this issue if it occurs again in the future. This case is closed with the following adjustment; pay the employee 8 hours at the straight rate of pay based on his pay rate as of October 12, 2015.

 01/23/17
Matthew Levy Date
Review Committee

 1/23/17
Kit Stice, Secretary Date
Review Committee