



## 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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VACAVILLE, CALIFORNIA 94696  
(707) 452-2700

KATHY LEDBETTER, CHAIRPERSON

LLOYD CARGO, SECRETARY

### **Review Committee Number 24686 Electric Operations – Electric T&D – Santa Rosa**

Deanna Frederickson  
Company Member  
Local Investigating Committee

Mark Wilson  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

At issue with this grievance is whether the Company has violated Letter Agreement No. 16-44 by not paying overtime work performed under Section 12(b) at the double time rate of pay.

#### Facts of the Case

Section 12 (b) of Letter Agreement No. 16-44 provided for the overtime payment at twice the straight time rate of pay in the following situation:

An employee who is scheduled to work prearranged overtime outside of his/her regular work hours on a workday, or non-workday, in support of a major electric event (e.g., earthquake or wildfire) requiring Emergency Operations Center (EOC) activation. Examples of major electric events that would not be included within the scope of this Agreement include, but are not limited to, routine emergencies and planned public events. This section shall apply for the duration of the assignment. The Company's Director of Emergency Operations shall notify IBEW 1245 Business Manager (or designee) of the Company's intention to open EOC as soon as is possible.

Since the implementation of Letter Agreement No. 16-44, the Joint Company/IBEW 1245 Oversight Committee had discussed the topic but not reached agreement as to the understanding of the term "Duration of Assignment" within Section 12(b).

Following the 2017 wildfires, crews in Sonoma Division continued to perform fire related work throughout 2018. Some of the assignments were performed on prearranged overtime.

Discussion

The Union noted that the intent of LA 16-44, Section 12b was so that any restoration of power due to the support of a major electric event would be paid at the double time rate. The addition of the duration of assignment addresses the fact that the work can continue after the EOC has closed.

The Company maintained that the intent of LA 16-44, Section 12b was a reference to the timeframe the EOC was in operation. The duration would then be that timeframe only. The Company also noted that much of the work performed in the specific case was not restoration of power but the reconstruction of facilities. Further, the Company argued that many of the work tags in the specific case were not generated while the EOC was in operation and were assigned to address additional reconstruction work following the restoration of power.

Decision

The Review Committee with input provided by the Company/IBEW Joint Oversight Committee reached an equity settlement in this case.

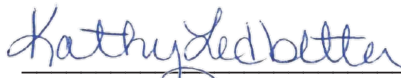
The parties agree that on a going forward basis when the provisions of Letter of Agreement No. 16-44, Section 12 (b) are utilized, the following provisions will apply:

- Paragraph 12b "duration of assignment" would be defined as work tags for the restoration of power that were created during the EOC activation and worked on overtime within 45 days of the EOC de-activation.
- In the event power has been restored, even on a temporary basis, employees returning to a location to make permanent repairs would not be entitled to double time outside normal contractual provisions.
- Any work performed on overtime beyond the deadline above would be paid in accordance with the rate of pay as determined by Sections 208.2 or 308.2.


The above provisions are only applicable to Letter Agreement No. 16-44, Section 12b.

This case should be considered closed based on the above.

**For the Company:**

 05/19/2021  
Kathy Ledbetter, Chairperson      Date  
Review Committee

**For the Union:**

 5/19/2021  
Lloyd Cargo, Secretary      Date  
Review Committee