

**PG&E – IBEW  
Joint Overtime Subcommittee Report  
April 2011**

**Union Committee Members:**

Bob Choate, Assistant Business Manager  
Bob Dean, Business Representative  
Bob Gerstle, Lineman, Placerville  
Dan Mayo, Troublemaker, Merced  
Mike Jessen, Lineman, Chico  
Casey Barker, GC Lineman, Salinas  
Ray King, Lineman, Fremont

**Company Committee Members:**

Bill Pate, Labor Relations  
Kathy Ledbetter, Labor Relations  
Rick Kennedy, Gas Service  
Mike Kress, Electric M&C  
Tim Bedford, Restoration  
Elissa Carroll, Gas M&C  
Robert Trumbull, Electric M&C  
Bob Sholler, Electric M&C  
Gabe Gonzales, Gas M&C  
Ross Leverett, Gas M&C

An initial Sub-Committee meeting was conducted on Friday, March 18<sup>th</sup>. The initial focus of the meeting was to draft the Subcommittee charter and for both sides discussed their concerns and current issues around Title 212/Overtime.

## March 30<sup>th</sup> Meeting

The Sub-Committee reconvened on March 30<sup>th</sup>. The charter was agreed to by both the Company and the Union.

The Subcommittee also agreed that while many of the issues appear to be in one department, any discussions or agreements should address the entire bargaining unit. The Subcommittee agreed that this makes the issue somewhat of a challenge. However, if there were any other needs or specific departments that had an issue, the Subcommittee would recommend that those issues be addressed through Ad Hoc Committees.

On March 18<sup>th</sup>, the Company provided a list of items that it felt might merit discussion. That list was the initial point of discussion on March 30<sup>th</sup> and included the following subjects

- Residency Requirements
- Vehicle Take Home Policy
- Willingness and Incentives to Respond
- EOT response as a job requirement
- Scheduling - ensuring proper coverage, rotating EOT coverage, balancing EOT among all workers
- Use of GC and Contracting
- Management of 212 - callout challenges and consistency

The Company noted that there is concern about the levels of response location by location. The Company noted that in some locations only a few employees work most of the overtime. The Company expressed an interest that any recommendations on overtime procedures should ensure that there is a more even level of response and availability.

The Union noted that there is a lack of response in some areas due to the concerns about high levels of Positive Discipline. The Union members noted that some employees will not respond during the active period of Positive Discipline to reduce their exposure and recommended the Company consider this as discussions continue regarding overtime.

The Union also noted that staffing levels are another reason for lack of response. The Union recommended the Company determine if some areas need additional staff. This would, in turn, increase the availability for overtime response.

The Committee discussed different issues around staffing needs as well as work/life balance issues. After much discussion around the background and reasons for different response rates, the Subcommittee agreed that the reasons around response rates are numerous. Subsequently, the Subcommittee noted that the remainder of the meetings should be focused on finding solutions.

The Company proposed reviewing ideas around an on call system similar to that used by department supervisors. In most locations, the local supervisors rotate who is on call each week. The Subcommittee then discussed that such a concept does not follow the voluntary nature of Title 212. The Union noted that such a concept would be an issue for smaller yards and could also lead to discussions about stand-by pay.

The Union brought forward concerns around the use of contractors and GC during overtime assignments. Specifically, the Union noted that there are issues with the assignment of longer emergency jobs to contractors while Division crews perform shorter assignments and are sent home; the payment of double time to contracting crews while PG&E employees are paid time and one-half; and sending Title 200 crews to out of town locations while contractors stay in the original (local) headquarters. This becomes especially uncomfortable for everyone when the contractors are working from a PG&E yard.

The Union expressed concern that contractors have financial incentives to allow mistakes to happen so they can work faster. The Union further noted that their membership isn't comfortable with this and that the Company should ensure there is some accountability for safety with the contractors and that the Compliance Inspectors are fully trained to monitor this issue. The Company requested that the Union or PG&E employees provide any and all information that they have concerning safety or compliance issues with contractors, and committed to fully investigate any issue raised.

The Union also expressed concern that the Company should evaluate the practice of only calling out those signed on the 212 list. The Company continues to do this and goes right to GC or Contracting when perhaps someone may have been available within the local workgroup.

The Subcommittee discussed concerns around the application of the Vehicle Take Home policy. The Subcommittee noted that there are issues where an employee who takes home a vehicle may not respond when called. The Company agreed to look at these on a case by case basis. The Subcommittee also noted that the Company is reviewing the use of take home vehicles on a system-wide basis and that this issue may arise after that review.

The Committee then discussed issues related to the 30 minute residency rule. Based on the discussion that this is a challenge to fit into overtime issues and to fit on a "one size fits all" geographically, the Company agreed to go back and review this issue.

The Subcommittee reviewed different issues around the incentives for employees to respond. The Union noted that employees have been Pre-arranged on weekends and then just stayed in the yard. Employees would prefer to at least have spent this time at home. The Union also noted that they strongly believe that any forced Prearranged Overtime should be at two times the straight rate of pay (double-time).

The Company expressed the concern that the Company's need is to find a way to get everyone to respond when there is a storm or emergency. Specifically, Tim Bedford noted that during one of the March storms, 94% of the Northern Restoration area reported to work. While it was mandatory, it was an excellent response. The Company again noted that the desire would be to see that type of response without a mandatory situation.

The Subcommittee discussed ideas and options that included having someone on call for a weekend separately from 212. The Subcommittee also discussed options to have additional voluntary lists available after using Title 212. The Union noted that Title 212 is a voluntary system and that the Title and related concepts should be preserved through any further discussions.

Finally, the Subcommittee noted that many of the ideas discussed could be part of a negotiation using the Enabler clause of Title 212 (Section 212.12)12 or perhaps on an Ad Hoc basis instead of using this Committee forum.

The Subcommittee agreed to meet again on April 14<sup>th</sup>, but that each side would bring forth a specific structure, idea or proposal for the Subcommittee's review.

## April 14<sup>th</sup> Meeting

Upon reconvening on April 14<sup>th</sup>, the Union expressed that Title 212 has stood the test of time, but perhaps a review is what is needed. In addition, the Union noted that the 212 issues discussed by the Subcommittee at prior meetings are also a result of the Company not fully staffing some locations. The Union again noted that the Company should be reviewing staffing issues as well as overtime response.

The Company noted that it's interests in reviewing the Emergency Response process are to not increase costs, guaranteed response, and equalization of overtime hours across entire workgroups as opposed to a few. The Company also noted that it would look to review issues keeping in mind that the Subcommittee may have to ensure the definitions of on-call or stand-by status have been addressed. The Company also noted that any possible resolution may still contain an issue of significant travel time.

The Union also noted that the Company must understand that the members are doing more work with less and that the Union does still encourage them to respond to overtime. However, the Union noted that some won't respond given the concerns of Class A drivers on active discipline. This group must limit their exposure to future discipline.

The Union provided a list of options to the Subcommittee for consideration. The Subcommittee's discussions are included with each item below.

1. The Union began by noting that increasing staffing levels would solve many of the issues the group has previously discussed.
2. Further, the Union believes that if the Company is interested in ensuring someone would respond, then the Union proposed reviewing the option of using Stand By assignments. The Union proposed looking at the option with an incentive of 8 hours at the straight time rate of pay per week. The Subcommittee noted that if this discussion proceeds, it would also have to include how to combine locations with smaller workgroups. The Company stated that it would be interested in further discussion on this issue. The Company later noted that any discussion on standby would also require establishing how to rotate schedules, how to combine yards, and the sequence of using 212 first or second along with stand by. The Company also opined that such discussion should only be related to Gas & Electric T&D.
3. The Union also proposed that the Company discuss payment of all overtime at the double-time rate. The Union noted that the benefits of reduced calculations and grievances could offset any costs. It would also eliminate PG&E employees concerns with contractors who are paid double-time. The Company noted the Union's concern, but did not offer any further options or discussion at this time.

4. The Union also proposed that if any stand by option is discussed it should be on a Friday to Friday basis so that time frames are consistent with Title 212. The Company agreed that if any discussion did take place on Item 2 above, that the Union's recommendation would be appropriate.
5. The Union also recommended the Company consider adding a no vacation cancellation clause if stand by is discussed. The Company stated that it understands that this issue has recently come forward, but doesn't necessarily want to address at this time. The Company does, however, expect that by addressing emergency response levels, the Company's need to cancel vacations should be significantly reduced.
6. The Union next recommended that any Pre-arranged time for Storm work be an 8 hour minimum per calendar day. The Company stated that this issue may be appropriate for another forum or process.
7. The Union also recommended any proposal from the Committee include the elimination of the 60 minute response rule to Title 212 so more employees can respond. The Company responded that it is probably best to review this again at a later date.
8. The Union proposed that the Subcommittee discuss Service employees having the ability to start and end at home on a system-wide basis. The Subcommittee noted that some yards do this now, but the Union believed consistent application may improve the Company's response. The Company opined that it was probably best to pend this issue at this time and perhaps discuss in a different forum.
9. The Union also recommended the Company review the option of Service Employees living within 30 minutes of the jurisdiction and not headquarters as this would actually increase response in most areas. The Company replied that after a review, it is probably best to continue to address this issue on a case by case basis.
10. Finally, the Union proposed that the Subcommittee develop a procedure for Title 200 volunteers when there is a need to work out of the service territory. The Union expressed concern that there is currently no consistency on this issue. The Company replied that it would be interested in pursuing further discussion on this issue.

Conclusions: The Subcommittee agreed in concept to review proposal(s) during negotiations that include the following components (actual details to be addressed during negotiations):

- Establishment of a rotating on call schedule requiring employees in a designated yard/headquarters to respond to prearranged or emergency overtime assignments during a designated week.
- A limit to the total number of weeks per year that an employee is required to be on call – smaller headquarters may combine in order to ensure increase the number of employees available for the rotating schedule
- The rotating schedule should work in combination with Title 212.
- Employees may have other employees cover their assigned weeks.
- Some form of compensation (stand-by pay) will be required – but must be consistent with the Company’s requirement to deliver service ultimately below current costs, and the Union’s belief that some incentive is required to meet employee agreement.

If agreement cannot be reached on the proposal, continued use of the Title 212 enabler (212.12) is encouraged.

For the Company:

For the Union:

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