



**Pacific Gas and
Electric Company**

LETTER AGREEMENT NO. 12-31-PGE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS AND HUMAN RESOURCES DEPARTMENT
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STEPHEN RAYBURN
DIRECTOR AND CHIEF NEGOTIATOR

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700
TOM DALZELL
BUSINESS MANAGER

July 27, 2012

Mr. Tom Dalzell, Business Manager
Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P.O. Box 2547
Vacaville, CA 95696

Dear Mr. Dalzell:

Based on the federal control room management mandate to implement fatigue mitigation methods in the gas control room operations, Company and Union agree to amend the overtime and rest period provisions and procedures applying to Gas System Operations effective August 1, 2012 as noted below.

1. Pursuant to Subsection 202.16(b) of the Physical Agreement and in accordance with Letter Agreement 93-98-PGE, the regular hours of work established for Gas System Operators, Reliefs and Operators-In-Training consists of a 12-hour rotating shift.
2. The procedure for filling shifts and assigning overtime in the Gas Control Department is implemented in accordance with Titles 208 and 212, and in compliance with CFR 49 Part 192.631, Hours of Service rules as follows:
 - a. Personnel should not work more than five (5) 12 hour shifts in a row.
 - b. Personnel should have a minimum of 35 hours off between sets of scheduled or unscheduled shifts.
 - c. Personnel should have minimum off-duty time to achieve 8 hours continuous sleep, plus commute time, plus 1 hour personal time.
 - d. Personnel should not work more than 65 hours in a sliding 7 day period. However, 35-hours off may be used as a "reset" within any sliding 7 day period if and only if it follows a sequence of two or more day shifts. *For example, the 12-hour DDDONNN sequence is acceptable even though it appears to violate the 65-hour HOS guideline (6 days x 12 HOS per day = 72 HOS in 7 days). The day off in this sequence begins in the evening and extends 48 hours to the beginning of the next night shift, providing the opportunity for two nights of sleep.*
 - e. Personnel should not work more than the daily limit of 14 hours. Otherwise the hours worked should be limited to no more than two 14 hour shifts or one 18 hour shift in a sliding 5 day period.
3. In the event a deviation from the Hours of Service rules is necessary due to personnel shortages, abnormal and/or emergency operating conditions, the employee taking the overtime assignment must document his/her ability to perform his/her roles and responsibilities safely as required by CRM 192.631.
4. Availability:

A Relief Operator or GSO who is scheduled to be off on vacation will not be scheduled for overtime for the period between the end of the his/her last regular day of work preceding the vacation and the start of his/her first regular day of work following the vacation unless s/he expressly indicates his/her availability

during such period. Supervisor or designee will note the availability by marking "A" on the schedule and the employee will then be placed at the bottom of the overtime list(s) during such period by order of least total overtime hours worked and credited.

A Relief Operator or GSO is unavailable to fill a shift if s/he called in sick on his/her previous scheduled shift unless s/he has communicated to the Senior Transmission Coordinator or another Supervising authority that s/he has fully recovered from illness. In such cases, the employee will be noted on the schedule with an "A" and placed at the bottom of the overtime list(s) during such period by order of least overtime hours worked and credited.

Check the Control Room GSO schedule. If the day is "X"ed out, the Employee is not available. A scanned schedule will be emailed to employees each Thursday and updated when changes to availability are made. Employees are responsible for verifying that their availability is accurately reflected on the latest schedule before starting a vacation period. Any changes to availability must be sent to the supervisor or designee in writing for approval. Only the supervisor or supervisor's designee should designate "X" or "A" days on the schedule.

5. Procedure to Fill a Shift - When there is a need to fill a vacant shift, the following sequence should be followed in accordance with the Hours of Service criteria: 1) Available Relief, 2) POT list, 3) EOT list (employees marked "A" goes to bottom of lists). If there are no volunteers and a deviation from the Hours of Service criteria must be made, offer the deviation in the following sequence: 1) Available Relief, 2) POT list, 3) EOT list (employees marked "A" go to bottom of lists). Employees will not be credited with overtime that is declined when such assignment is a deviation from the Hours of Service criteria.
 - a. Check the Control Room schedule for the remaining number of GSO's and Relief Operators that are scheduled for the called in shift(s).
 - b. If it is determined that there is adequate coverage, then the Senior should also note the absence in red on the Control Room schedule and nothing more needs to be done. If it is necessary to fill the shift, the Relief Operators availability should be checked first.
 - c. If a Relief Operator is covering for a GSO who is on vacation, training or on extended leaves, he is considered in the GSO line of progression, not a Relief Operator, when a call out for overtime is needed.
 - d. In accordance with 208.20 and the Relief Clarification, a Relief Operator can be moved in the schedule to fill a vacant shift and it would be considered a normal work day, unless the employee is prevented from having 12 hours off. The communication to the Relief Operator should be done promptly to provide the Relief with as much time as possible to adjust to any change in schedule.
 - e. If there are Relief Operators not covering for a GSO who is on vacation, training, or extended leave, and they have fulfilled their weekly allotment of hours they should be called first in the order of the least amount of overtime hours.
 - f. If it is not possible to utilize any of the Relief Operators to fill the vacant shift in a timely manner then proceed to the GSO's POT list to fill the shift. Overtime will be offered to employees with an "A" designation only after the offer is made to others on the list.
 - g. If the shift cannot be filled with the POT list, then utilize the EOT list until the shift is filled. Overtime will be offered to employees with an "A" designation only after the offer is made to others on the list.
 - h. The Senior, Transmission Coordinator or supervisor will offer overtime in accordance with these procedures. Once a GSO has accepted the shift, the sequence of events and final OT assignments should be e-mailed to the supervisor.

6. Call Out and Response:

In accordance with 212.3, in the event employees are called out for emergency overtime and refuse or cannot be reached, they will nevertheless be credited on the appropriate list with equivalent overtime in the same amount as received by those who did the work. Company is only required to make an attempt to contact by telephone an employee during an emergency period and such employee will be charged only one refusal. "An attempt" includes redialing a telephone number once when a busy signal or no answer results from the first attempt. In the event an answering machine, voicemail, or some other person answers the call, Company will leave a message advising of the overtime opportunity. Company will continue to offer the overtime in accordance with the appropriate sequence until it is accepted. An employee who has received a message about the overtime opportunity may call back and accept the assignment if it is still available.

- 7. Due to the implementation of CFR 49 Part 192.631 Section (d), overtime may be assigned out of sequential order without the payment of bypass if such assignment would violate the Hours of Service rules or any legal mandate.
- 8. Shift trades are permitted upon approval by the Gas System Supervisor with a follow-up e-mail provided the request meets Hours of Service criteria, and does not result in the payment of overtime.
- 9. If an employee is prevented from working his/her regularly scheduled work hours due to compliance with the hours of service criteria, employee shall be entitled to the rest period provisions in accordance with Section 208.11 of the IBEW-Physical agreement.

The parties agree to revisit this agreement after six months. Either the Company or the Union reserves the right to cancel this agreement by giving thirty days written notice.

If you are in accord with the foregoing and agree thereto, please so indicate in the space provided below and return one executed copy of this letter to the Company.

Very truly yours,

PACIFIC GAS & ELECTRIC COMPANY

By: /s/ Stephen A. Rayburn
Stephen A. Rayburn
Director and Chief Negotiator

The Union is in accord with the foregoing and agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

August 1 , 2012

By: /s/ Tom Dalzell
Tom Dalzell
Business Manager