



**Pacific Gas and
Electric Company**

LETTER AGREEMENT NO. 23-15-PGE

IBEW



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BOB DEAN
BUSINESS MANAGER

May 9, 2023

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

Dear Mr. Dean:

Pursuant to Section 208.16, the attached document titled "Materials Title 200 Prearranged Overtime Agreement Diablo Canyon Power Plant" codifies the current practices within DCP's Maintenance Department related to the distribution of prearranged overtime.

Either party may cancel this agreement by providing the other party with 30 days written notice of cancellation.

If you agree, 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: _____
Matthew Levy
Senior Director

The Union is in agreement.

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

By: _____
Bob Dean
Business Manager

May 11, 2023

_____, 2023

**MATERIALS
TITLE 200
PREARRANGED OVERTIME AGREEMENT
DIABLO CANYON POWER PLANT
Dec 2022**

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I. BASIC ADMINISTRATIVE ITEMS

- A. PAOT Administrator - All PAOT assignments should be made through a single point of contact (PAOT Administrator) to ensure accountability and reliability in the application of the PAOT agreement. There is one PAOT Administrator for each discipline.
- B. Accounting Period - The accounting period for the equitable distribution of PAOT is to be one calendar year. This period begins January 1, and ends December 31.
- C. Initial Ranking and Yearly Accounting - At the beginning of each year, all employees PAOT hours are reset to zero. Employees in a particular classification shall be ranked according to Company seniority with those having the greatest seniority first. As employees accumulate overtime hours they move down the list allowing the more junior employees with less hours to be the next eligible candidates for PAOT. The list is updated weekly throughout the year. The PAOT list is presently maintained on the PG&E Intranet and is available to all employees. (<http://dcpapp01/PAOT/login.asp>)
- D. PAOT Assignment - Prearranged overtime assignments are made from a weekly sign-up list of employees eligible with the employee who has the least number of accumulated overtime hours (both worked and refused) receiving first consideration. The PAOT list is used to fulfill overtime needs for each work period. Each calendar day (0000-2400) is a work period. Should more than one shift be necessary during the work period, shift assignments will be made using the order of eligibility delineated in the PAOT list.
- E. PAOT Posting Periods – Accumulated PAOT hours (both worked and refused) shall be updated no later than Wednesday of each week (normally by 1200 hrs). The sign-up list shall be available on Wednesday of each week and be locked by 2400 Tuesday. The PAOT schedule for weekend work should be available by 1600 on Thursday. This PAOT list will be active from 0600 Friday until 0600 the following Friday.

II. ACCUMULATION OF HOURS

- A. Worked Hours - All overtime worked is counted as PAOT for the purposes of accumulating PAOT hours. (Example: A job is continued over shift for two hours (see job continuation Sec. III. D. 1.) These two hours are counted as PAOT on the cumulative list.
Exceptions to this are:
 - 1. EOT
 - 2. Time and a half in lieu of straight time (202.17 - establishment of shift - first four days; Holidays - shift worker works a holiday; Relief tech performs a relief assignment; Work performed before completion of a rest period.)
- B. Refused Hours - Refused time is normally awarded to employees who make themselves available for overtime but for various reasons, don't work it. The amount of refused time should equal the actual hours worked by the employee that works the

“refused” assignment. When assigning overtime from a predetermined list, the administrator should determine whether refuse time should be awarded based on the following:

1. If an employee on an alternate work schedule is contacted on their day off for a PAOT assignment, refuses the assignment, they will not be awarded refused time.
 2. If an employee is scheduled for a ten-hour PAOT assignment but goes home sick after five hours, the employee is awarded five hours of refused time.
 3. If the company changes the employee’s schedule, he/she will not receive refused time. For example; a PAOT assignment is scheduled for ten hours. The job is finished after five and everyone is sent home. No refused time is awarded.
 4. If an employee is assigned overtime but does not show up for the assignment, he/she will be assigned refused time.
 5. If an employee signs up for PAOT but is ineligible per III.B.1 or III.B.2 he/she will be assigned refused time.
 6. If the company changes the employee’s schedule he/she will not receive refused time. For example; employee is assigned ten hours PAOT on Saturday from 06:30-17:00 hrs. Friday night at 22:00 hrs, the employee is called out for EOT and informs the company that he/she is already assigned PAOT for the next morning. The company decides to bring that individual out anyway and cover the next day’s assignment by some other means. The employee does not receive refused time.
 7. An employee released from a Mandatory PAOT assignment (as described in III.C) due to a hardship, will receive refuse time equal to the actual hours worked.
- C. New Employee on the List (New Hire, Returning from Leave, etc.) – A new hire, a person that has not previously worked PAOT in the calendar year and is returning from a leave of absence or extended sickness, or a person not previously volunteering for prearranged overtime during the current calendar year will initially be assigned one hour more than the maximum accrued in his/her classification. In other words, he/she will go to the bottom of the list.
- D. Bidders, Demotions, or Returning to the List from Leave etc. - Transfers or bidders (Title 205 and 206) into a classification shall be credited with the average accumulated hours for their classification. In other words, he/she would go to the middle of the list. A person that has previously worked PAOT on the list in the calendar year and is returning from a leave of absence or extended sickness (a period in excess of two weeks) will be assigned the mean accumulated hours worked in his/her classification

during his/her absence and such hours will be added to his/her previous total of hours worked, charged and/or assigned.

- E. Temporary Upgrades – Overtime for employees on temporary timecard upgrades both within and outside the bargaining unit shall be posted to their permanent classification. Employees on a payroll upgrade will receive the average overtime for their classification or their actual overtime, whichever is greatest, in the year in which the upgrade concludes.

III. SCHEDULING PAOT

- A. Administrator Responsibilities – Any and all requests for overtime shall be routed through the PAOT Administrator or his/her designee. This allows for a single point of contact and control that allows for the most cost effective and efficient execution of the PAOT policy. **The PAOT Administrator or his/her designee is responsible for assigning all PAOT.**

1. PAOT is assigned using the weekly PAOT list (Sec. I.E.) The numbers of employees requested for PAOT are taken from the top (most senior, least PAOT hours) of the list in order. (Example: A request for two Mechanics to rebuild an actuator over the weekend is sent to the PAOT Administrator. The top two Mechanics are contacted and offered the assignment. The Administrator continues down the list until the assignment is filled.) **Exceptions to this process are addressed in Sec. III. D.**
2. The PAOT schedule/assignments are made via pager or phone and normally distributed via E-mail by 15:00 on Thursday. PAOT assignments to employees made and distributed after Thursday at 15:00 hours should be by pager or phone unless an alternate method has been arranged with the employee (e.g. cell phone, voicemail message, etc). If the employee is on an alternate work schedule, they should be contacted prior to the end of their regular shift or on their day off within normal work hours (Wednesday or Thursday 0630-1700) to pre-arrange overtime.
3. It is recommended that the PAOT Administrators review any exceptions to the PAOT policy with a Shop Steward before the assignment to prevent misunderstanding and to address potential remedies.
4. Employees are responsible for notifying the PAOT Administrator and a Shop Steward as soon as practical if they believe they were bypassed incorrectly.
5. The PAOT rankings are fixed on a weekly basis and are not updated daily. Each calendar day (0000-2400) is a work period. PAOT will be offered to the top employee on the list for each work period during week (Friday, 0600 – Friday, 0600).
6. In some rare instances the need to advance or delay a PAOT assignment is necessary. If an employee must be notified outside of regular work hours to accommodate this change, the assignment can be advanced or delayed by two

hours in either direction of the original start time and still be considered a PAOT assignment. Start times changing by greater than two hours would need to be filled by EOT.

B. Eligibility – The following categories describe an employee’s eligibility for PAOT.

1. Vacation - An employee scheduled to be off on vacation shall not be scheduled for PAOT and shall not sign the volunteer list for PAOT, for the period between the end of the employee’s last regular day of work preceding the employee’s vacation and start of the employee’s first regular day of work following the vacation.
2. Sick - An employee who is off due to illness or injury shall not be scheduled for PAOT until he or she returns to work on a regular workday. Employees who are off work due to routine medical/dental appointments or for a sick relative are not considered sick for PAOT assignments, if they are at work for part of the day the assignment is made.
3. Jury Duty – An employee scheduled off due to jury duty may be considered eligible for PAOT assignments on the day(s) he/she is not fulfilling their jury duty obligations.
4. Funeral Leave – An employee who is off a single day due to Funeral Leave is considered ineligible for PAOT assignments on the day of the Funeral Leave. An employee who is off for three days due to Funeral Leave is ineligible for PAOT and shall not be scheduled for PAOT for the period between the end of the employee's last regular day of work preceding the employee's Funeral Leave and start of the employee's first regular day of work following the Funeral Leave.
5. Alternate Work Schedule - Employees who sign the voluntary sign up list and who are on an alternative schedule may be contacted and offered PAOT. Such contact must occur before the end of their regular work hours or on their day off within normal work hours (Wednesday or Thursday 0630-1700). If the employee is contacted on their day off and declines the assignment they will not receive refused time. If an employee, who is on their RDO, is not home when contacted by the PAOT Administrator, they should leave a message and indicate a deadline for responding. Employees who are on their RDO are encouraged to contact the PAOT Administrator to determine if there is any weekend work.
6. Shift Workers (including 2nd Shift) - If an employee with low PAOT hours is on a back shift, efforts should be made to assign them overtime that can be worked on their days off, during their shift. Be creative and considerate to the shift worker’s schedule (Examples: Offer overtime on their days off either during normal hours or hours similar to their normal shift, as an extension of their shift, etc.). If both shifts are posted, day shift employees will be used to staff dayshift PAOT assignments and swing shift employees will be used to staff swing shift PAOT assignments. However, make up work opportunities are not expected or required.

7. PAOT List Exhausted – Once the PAOT list has been exhausted, anyone may be considered eligible to work overtime as long as they meet the eligibility requirements identified in III.B.

- C. Mandatory PAOT – In the event that no volunteers and/or an inadequate number of volunteers are available, prearranged overtime will be assigned to the employee with the least number of worked PAOT overtime hours and is the least senior. In this instance, the employee has an obligation to work, absent any situation that may create a personal hardship. The PAOT Administrator will judge the validity of the hardship on a case-by-case basis. In the event that such situations do exist and the employee is not required to work, he/she will be charged with the actual hours worked by the employee who worked the assignment.

- D. PAOT Bypass - There are six instances in which an employee that is not on the top (most seniority, least hours) of the PAOT list may be selected for a PAOT assignment. Most instances require bringing in the most eligible employee (top of list) on a one for one basis but some instances do not.
 1. Job Continuity - Job continuation is defined as using the same employee(s) to perform and continue a specific task. There are two instances where this applies.
 - a. The job is being continued due to unanticipated circumstances beyond the normal work shift from which it was started. When a Supervisor has a job that is going to extend into the next shift, he/she should consider **any** of the following options:
 1. Ask the employee(s) assigned the task to stay past their normal shift as appropriate. If necessary, the Company may require the employees assigned to the task to work beyond his or her normal quitting time in order to ensure job continuity is maintained thereby facilitating timely completion of the task.
 2. Seek assistance from the previous and/or oncoming shift and utilize this resource.
 3. Call the PAOT Administrator so he can assign appropriate personnel from the existing PAOT list to start the job early or continue the job.
 - b. The job is starting early in the shift two hours or less before an employee's regular start time.
 1. If the task is generic in nature, to be performed before shift, and not integral to the overall task, it should be assigned using the PAOT list (Ex. Unloading a truck shipment at Santa Fe that has nothing to do with the job requiring an early start).
 2. If the task is integral in nature and an early start time of two hours or less is required to perform the task, the employees scheduled to perform the work during the normal scheduled workday may be brought in to work the job in its entirety.

3. The Company may utilize the Monday – Thursday crew member with the lowest PAOT hours to staff Monday early in assignments and Tuesday – Friday crew members with the lowest PAOT hours to staff Friday early in assignments. In the event the employee at the top of the list is on the opposite shift he/she may be bypassed and will not receive bypass hours or refused time. (Example: The Company needs to staff a Monday early in from 0400-0600 and the individual at the top of the PAOT list is a Tues – Fri employee. The Company may bypass the individual and utilize the Mon – Thurs employee with the least PAOT hours.)
2. Qualifications/Proficiency – Some overtime jobs require specific qualifications (ex. Forklift Qualification) or proficiencies (ex. brand new employee not yet trained in SAP and able to man the phones). In the event that the first person on the PAOT list does not have the required qualification or proficiency, overtime shall be assigned as follows: The employee with the least PAOT hours and the qualified/proficient employee with the least PAOT hours, who have signed the list, shall be scheduled for overtime, except if the assignment falls under "Job Continuity" above. This process is continued, on a one for one basis, for as many qualified/proficient employees that are necessary to perform the work. **NOTE:** Assigning the employee with the lowest PAOT hours and any qualified/proficient employee (not having the least PAOT hours) on the list or otherwise, will be considered a bypass of the qualified/proficient employee with the least PAOT hours that signed the list. In the event that no qualified/proficient employees or an insufficient number of qualified/proficient employees are available then, the PAOT Administrator may make PAOT assignments from the appropriate classification(s) not on the current PAOT list. In this case, for each qualified/proficient employee assigned PAOT a non- qualified/proficient employee on the PAOT list will be brought in.
Note: The non- qualified/proficient employee is generally assigned to work with the qualified/proficient employee, however the Supervisor may assign the non-qualified/proficient employee to other work at his/her discretion on non-overtime assignments, without creating any other or additional bypass situations.
3. Contractual Rest Period (208.11) – An employee shall not be bypassed for the purposes of avoiding a contractual rest period.
4. Training Assignments – In the event that a PAOT assignment would impact a previously scheduled Training assignment, the employee may (at the Company’s discretion) be considered ineligible for PAOT. If the Training assignment is made by the direction of the Company (e.g. employee is required to attend Securement/Tie Down Training), the employee will receive bypass hours for the overtime hours of the assignment he/she was bypassed for. If the Training assignment is by request of the employee (e.g. employee attends ALP or Climbing

School in order to pursue a bid to Apprentice Lineman), the employee may be bypassed and will not receive bypass hours or refused time.

5. Reassignment – If a PAOT assignment is made & subsequently one or more of the craft are reassigned or selected to an EOT assignment, no bypass or refuse time is created as a result of the subsequent assignment.
6. Work Restrictions (e.g. Light Duty) – The Company can consider an employee ineligible for a PAOT assignment if the employee has a work restriction that would preclude the employee from performing the assignment. The employee would not receive refused or bypass hours.

E. Process for working off awarded bypass time

1. The employee should be informed of the number of bypass hours he/she is being awarded and offered to work them off by the end of the calendar year.
2. Bypass work will be approved by the employee's Supervisor, and the PAOT administrator will be notified. The makeup bypass time shall not impact any other overtime opportunities. Simply stated, bypass makeup time will not be used for regular PAOT assignments. It should be routine daily work, backlog, walking down Notifications or any other job that would not normally be an overtime assignment. If bypass time is worked off during an Outage period, no other Bypass or Equalization time is created.
3. The agreed upon assignment should be posted on the weekly PAOT assignment list by the PAOT Administrator.
4. Bypasses that occur on the 6th or 7th day, that include missed double time (time after 8 hours) will be remedied by converting the double time hours to an equivalent amount of time at the time and ½ rate (1 hour of double time is equal to 1 hour, 20 minutes of time and ½.).
5. When there are more than 2-3 employees in the same classification that are bypassed for overtime, they will be awarded the average of the hours worked by the employees in their same classification.

NOTE: It is incumbent upon the PAOT Administrator that the bypassed employee is offered the opportunity to work the hours he/she was bypassed. This is accomplished by performing step 1 above (Sec III. E. 1). If an offer is made to work off bypass time and the employee does not fulfill his/her obligation in the allotted time (Sec. III. E. 1.), those specific bypass hours will be lost and no compensation is due the employee. If bypass hours were not offered, the employee is entitled to compensation equivalent the total bypassed hours minus ten, at the end of the year. (Refer to III.E.1 for cases where bypass hours are carried into the first quarter of the following year.)

IV. MISCELLANEOUS

- A. Review Board - A Review Panel with Company and Union members may be set up to review the PAOT process on a quarterly or as needed basis. This panel should be comprised of members that are on the PAOT Committee. The Panel should review the administration of the PAOT policy focusing on inequities, compliance, and potential improvements. The Panel should report their findings to all employees and to the Labor/Management committee.

- B. Disputes/Cancellation - Any disputes over the administration of this policy that may be subject to the grievance procedure are limited to those items covered by the Physical Agreement. It is understood that not every conceivable circumstance can be appropriately covered by this policy; therefore, the Company and Union will make every effort to settle problems as they arise with this policy should major issues develop. This agreement can be modified by mutual agreement of the Company and the Union. Either party may cancel this agreement with 30 days advanced written notice. Should this agreement be canceled the PAOT will be assigned in accordance with the applicable Sections of Title 208 of the Agreement.