

Copy of original decision 3-1-50

REVIEW COMMITTEE DECISION

R. C. File No. 20 - Grievance No. 59, Sacramento Division) Interpretation of
R. C. File No. 30✓ - Grievance No. 87, San Joaquin Division) Section 208.11

Subject of Grievance

Both grievances referred to in this decision concern the application of contract section No. 208.11 prior to the date of September 1, 1953, at which time the section was amended and the issue was clarified by the specific language of the amended provision. The facts involved in each grievance concern travel time and meal time for which employees are compensated after being dismissed from duty, and the question is whether or not such time should be included as time worked at the overtime rate during the 16 hours preceding the beginning of the employee's regular work hours. The amended provision, effective September 1, 1953, states that such time shall be included in computing the employee's 6-hour rest period.

Statement and Decision

This Committee believes that inasmuch as both Union and Company have clarified the issue involved in these cases by amendment of the contract provision, no useful purpose would be served by rendering a decision which would have a retroactive effect. It, therefore, agrees that the grievances are to be considered as closed. Committee discussion on the subject has, however, focused attention on the language and application of the amended Section 208.11 and the following interpretations are outlined to clarify such section:

1. All travel time and meal time to which an employee is entitled when emergency or prearranged work is performed, shall be included in computing the hours of overtime work during the 16-hour period immediately preceding the beginning of his regular work hours, except the travel time and meal time to which he is entitled after being dismissed from work. The latter time is to be included in the computation of the employee's 6-hour rest period.
2. If the entire six hour rest period or any portion of it overlaps an employee's regular work hours, he will receive pay at the straight rate for all such time in his rest period that falls within his regular work hours.
3. If an employee is called back to work and his 6-hour rest period is thereby interrupted, he will commence a new rest period at the conclusion of his overtime work.

4. An employee's rest period shall consist of a 6 consecutive hour interval and after any such interval has elapsed the overtime previously worked by the employee shall not be included in computing hours of work at the overtime rate during the 16-hour period preceding the beginning of his regular work hours.

For Union:

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Leonard Gehringer
L. L. Mitchell

By

Elmer B. Bushby

Date

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For Company:

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R. J. Tilson
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By

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Date

2/17-54