



ESC Local 20 PG&E Steward Training Module 7: Hours, Meals and Overtime

HOURS (Title 7)

Hourly: The basic schedule in the contract is 8am to 5pm Monday thru Friday. Hourly employees usually have the same start and end time with a choice of 7am, 7:30am or 8am.

Monthly employees may have individual start times, and may arrive to work slightly early or late.

The Design classifications have Flex time in Exhibit I.

Per Arbitration 96 and 97: Company must have a business reason to deny hour change request.

Alternate Work Schedules - 9x80's and 4x10's. AWS are established by Local LOA (most have a cancellation clause). RDO swapping generally permitted within the same pay period with supervisor approval.

The travel time from home is time worked for members temporarily assigned to another HQ [Sec 7.6].

Provisions for Holidays, sick and vacation, etc. for employees on AWS are contained in Exhibit P.

MEALS (Title 16)

MEAL TIME Hourly classifications are entitled to meal payment if work prevents their "usual and average meal practice." These are defined as:

Breakfast: 1/2 hour to 1 hour prior to regular work hours.

Lunch: non-workday lunch is same as workday lunch time period.

Dinner: Between 6:00 p.m. and 7:00 p.m.

The definitions do not preclude payment for meals prevented outside of these hours, but in general there must be justifiable circumstances, such and a 2:30pm end time to justify a prevent dinner between 5pm and 6pm.

MISSED MEAL: Work more than hour **after** scheduled end time results in a meal payment and 1/2 hour of pay (the "missed meal penalty"). Before the start of shift, you must work at least 2 hours in order to incur a missed meal [RC 907]

REIMBURSEMENT. As of the 2016-2019, contract meal payments are:
Breakfast & Lunch: \$15.

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Dinner: \$20.

Meals are reimbursed when travelling overnight out of town, per sec 10.1(a) – this is clearer than language in Title 16, which is about how much you get, but not really clear on when you get it.

Notes:

- General Construction may be on per diem payments if moved by the Company.
- State law requires that Hourly employees take a lunch break after 5 hours of work.
- Monthly employees are generally reimbursed for meals when working away from their regular HQ (Section 16.7).

OVERTIME

Pre-Arranged Overtime – Hourly Employees

Pre-arranged overtime (POT or PAOT) distribution is to be equal [Sec 17.5].

Open OT means that all Members are offered the opportunity to work the same number of hours – e.g. everyone can work up to 8 hours of OT per week, it is automatically approved. Also called “blanket” overtime.

Closed OT means that POT is to be tracked and posted (on a share drive, bulletin board or other agreed-to place). Each HQ may initiate its own OT tracking method via Labor-Management [LOA 90-36].

If an employee is offered POT and declines, they are “charged”, meaning that the number of hours declined is added to their account for the purpose of determining who has the least POT for the next POT offer.

Employees bypassed for POT due them should get POT scheduled as a remedy.

* See the 2000 Overtime Guidelines (separate document).

EOT (Emergency Overtime)– Hourly Employees

Employees sign up on a list at the Local HQ. The list is initially ranked by seniority, but Company should try to call Members out in order of who has worked the least EOT. See 2014 EOT Report and 2018 MOU on EOT for Design Centers.

Hiring Hall and Routine Estimators can sign up for EOT (although they will likely be low on the list due to their low seniority). The supervisor and ADE must agree that they are capable and qualified to be on call.

Bypass Pay: The only true “bypass pay” is in LOA 16-23, which says that if PG&E entirely fails to call out an Estimator when they were required to, they will pay the top person on the EOT list 2 hours of OT. This phrase also is (mis)used to refer to when OT is not equalized – when one member gets

more OT than another, who feels “bypassed.” In those cases, the remedy is not getting paid without working, however it is possible to get management to offer the same amount of OT to the member who got less.

Where is the double-time?

There are not many conditions which lead to double-time pay. The only circumstances in our contract in which employees get paid double-time are:

- Work beyond 12 hours straight [17.3.b]
- Called out [17.3.c]
- Hours beyond 8 on Sunday, if you worked Mon-Sat [17.3.d]

Monthly employees (“Additional Hours”):

- Additional hours are paid at the straight time rate after 1 hour on normal work days.
- All time is paid at straight time on non-work days (weekend or RDO), for all monthly groups.
- There are a very few monthly groups who get paid 1.5x for special situations: Nuclear Engineers for outages, Ops Engineers when on-call.

No “Mandatory Overtime”

ESC’s attorney has reviewed this and is very clear that because our contract does not have any process for Mandatory OT (when it can be ordered, how many people can be made to work OT, who has to do it, rotation system, etc.), PG&E cannot simply implement Mandatory OT.

Sometimes Supervisors attempt to make overtime mandatory. Stewards should push back on this. A good question to ask the Supervisor is: “what will happen to employees who don’t come in”?

In most cases where management has ordered all employees to come in on OT, we see that not everyone comes in, and those who don’t do not get disciplined. If you’re not threatened with discipline, then it’s not really “mandatory.” You cannot be required to provide you reason for why you can’t come in.

TRAVEL TIME

Hourly employees:

- Travel time both ways from home is paid when on Temp Assignment to another HQ (Sec 7.6.a)

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- For daily OT, If you come in early (must be pre-approved), you get travel time on the way in. If you stay late, you don't get travel time going home. (Sec 17.9)
- Travel time is paid both ways on non-work days – does not matter if it is POT or call-out (Sec 17.9)

Monthly employees:

Travel time is paid when travelling to another HQ or job site. Travel time on workdays is not paid only if you are coming in to your regular HQ to work pre-arranged OT (if you are called back to your regular HQ after you already left, travel time is worked). On non-work days, all travel time is paid, regardless of location, i.e. even if coming in to your regular HQ. (Sec. 7.6.b)

Travel time is always the actual travel time, not a "flat rate" based on Google Maps or some other website or calculation. Travel time for the same route can be different on different days, based on traffic or if the employee chooses to take public transport, etc.