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DIVISION OR DEPARTMENT

INDUSTRIAL RELATIONS

FILE NO.

741.5

RE LETTER OF

San Jose Division Grievance No. 8-74-18

SUBJECT

**Bypass of T&D Driver
P-RC 72**

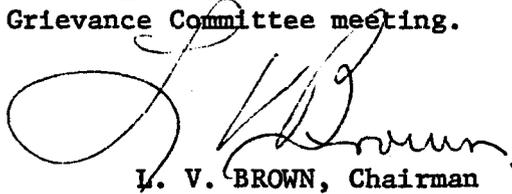
January 2, 1975

**MR. F. L. NETTELL, Chairman
San Jose Division
Joint Grievance Committee**

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned to the Joint Grievance Committee for settlement in accordance with the following:

The issue in this case is one of whether the Company was justified in bypassing the grievant for upgrades to Working Foreman because he does not possess a Class I Driver's License when the job required a driver to operate a LK10 Line Truck with a trailer weighing over 6,000 pounds. Based on the Division Joint Grievance Committee letter of November 12, 1974 where agreement was reached that in this situation a Class I Driver's License was required to legally operate the equipment, it is clear to the Pre-Review Committee that the bypass of the grievant was proper. As to the issue of whether the Working Foreman is the proper classification to be utilized in this situation, the Pre-Review Committee will not address itself to this issue inasmuch as there are several cases pending on the agenda of the Review Committee that involve the same issue, which have not yet been resolved.

This case is considered closed and will not be docketed on the agenda of the Review Committee. The closure should be so noted in the minutes of your next Joint Grievance Committee meeting.



**L. V. BROWN, Chairman
Review Committee**

DJBergman:rto

cc: VHLind
IWBonbright
AMKezer
✓LNfoss, IBEW