

DIVISION OR DEPARTMENT INDUSTRIAL RELATIONS
FILE NO. 741.5
RE LETTER OF
SUBJECT San Jose Division Grievance No. 8-74-22
Discharge of F. W. Ward, Groundman
P-RC 78

RECEIVED
AUG 26 1974
L.U. 1245 I.B.E.W.

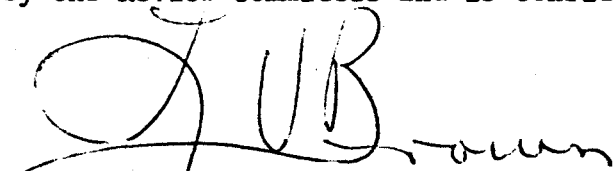
August 23, 1974

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

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

The Joint Statement of Facts establish that the grievant, on two different occasions, misrepresented the reasons as to why he was off sick, specifically, Paragraphs No. 5 and 21 of the results of the Local Investigating Committee's meeting of April 12, 1974. As to a remedy for settlement, it is the opinion of the Pre-Review Committee that the Division's actions were proper inasmuch as Section 112.8 of the Agreement, or at that time Section 209.7 of the Agreement, allows the Company to treat recurring abuse of sick leave as it would any other violation of a condition of employment.

Therefore, as the record is void of mitigating factors, this case will not be accepted by the Review Committee and is considered closed.



L. V. BROWN, Chairman
Review Committee

DJBergman:rto

cc: VHLind
IWBonbright
JAFairchild
PMatthew
AMKezer
LNFoss, IBEW