

REVIEW COMMITTEE

PG and E

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
245 MARKET STREET, ROOM 444
SAN FRANCISCO, CALIFORNIA 94106
(415) 781-4211, EXTENSION 1125

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6060
L.N. FOSS, SECRETARY

RECEIVED MAR 28 1979

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

Coast Valleys Division Grievance No. 18-169-78-19
Fact Finding Committee No. 894-78-187
P-RC 389
Letter Requesting Proof of Illness, Control Technician

March 23, 1979

MR. L. J. CAMPBELL, Company Member MR. R. SHEPHERD, Union Member
Coast Valleys Division Coast Valleys Division
Local Investigating Committee Local Investigating 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, pursuant to Section I B(1) of the Review Committee procedure, to the Local Investigating Committee for settlement in accordance with the following:

This case involves the requirement of an employee to provide satisfactory medical evidence each time he is off sick in order to be entitled to be paid sick leave. The letter, which the grievant received, indicated that the form of the medical evidence was to be a statement from a doctor discussing the cause of the absence, specifying the date the individual could return to work. The letter further stated that the decision to pay or not pay sick leave would be based on the physician's report.

Section 112.8 of the Physical Agreement and Review Committee Decision Nos. 1205 and 1256 clearly establish the Company's right to require satisfactory medical evidence before sick leave will be paid in cases of abuse or suspected abuse. In reviewing the grievant's sick leave record for 1977, which is the basis for his letter of March 6, 1978, the Committee concludes that his pattern of use does not indicate abuse nor can a reasonable suspicion of abuse be raised in reviewing his sick leave usage. Other than one period where the grievant was off for eight straight days due to infectious hepatitis, there are only four other instances where the employee was off for eight hours. Coupled with this record are a few occasions where the employee was off for either doctor appointments or portions of a day. In all cases, however, the reasons for the illnesses have been identified and the requirement that the employee provide a statement from his doctor identifying the nature of his illness when he is off sick, at this point, seems inappropriate.

The letter was written ostensibly because the employee's absenteeism is creating a problem in rescheduling work assignments to

March 23, 1979

compensate for his absence. However, in Paragraph 3 of the Joint Statement of Facts, the grievant's supervisor stated that it is the policy of the Plant to review the record of each employee who has used an excessive amount of sick leave in order to determine if there was good reason for such usage (such as extensive serious illness, broken legs, etc.). The supervisor goes on to state that in such cases no letter is written to the employee.


In the present case, it is apparent from our review of the employee's sick leave record, that his sick leave has been put to its proper and intended use. In view of the supervisor's statement to the Local Investigating Committee, it would appear that the letter, which the grievant received, was inappropriate, under the Plant's policy, as there is no suggestion that the employee was not ill when he claimed that he was too sick to work.

In this case, the letter to the grievant was inappropriate and is to be rescinded.

This case is considered closed on the basis of the foregoing, and the closure should be so noted by the Local Investigating Committee.



D. J. BERGMAN, Chairman
Review Committee



L. N. FOSS, Secretary
Review Committee

PEPettigrew(1123):rto

cc: FCMarks
IWBonbright
LVBrown
FCBuchholz
JBStoutamore
RHCunningham
Personnel Managers