

# REVIEW COMMITTEE

## PG and E

PACIFIC GAS AND ELECTRIC COMPANY  
245 MARKET STREET, ROOM 444  
SAN FRANCISCO, CALIFORNIA 94108  
(415) 781-4211, EXTENSION 1125

## IBEW

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

D.J. BERGMAN, CHAIRMAN

General Construction Grievance No. 3-555-79-44  
P-RC 483

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Taken Off the Compensation Payroll

August 27, 1979

MR. W. FUNABIKI, Chairman  
General Construction  
Joint Grievance Committee

### Statement of the Case

This case concerns the grievance of a Gas Construction Department Helper relative to supplemental benefits. The grievant was placed on the industrial compensation payroll April 11, 1977. He apparently received compensation and supplemental benefits until March 5, 1979. At that time, it was understood that the employee had resigned his employment to work for the City of Madisonville, Kentucky. As it turned out later, he had not, and he was returned to the compensation payroll on April 6.

The grievance as initially filed by the Union sought reinstatement of the compensation and supplemental benefits from March 5 to April 6. In addition, as clarified in Business Representative Harris' letter of April 20, 1979, the grievance also challenged the Company's "failure ... to place (the grievant) in a job which he is capable of performing, under Section 108.2 of the Agreement."

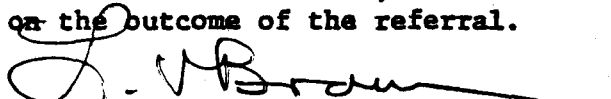
### Discussion

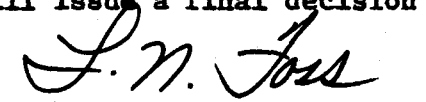
As clarified, the grievance presents two issues: First, the grievant's entitlement to industrial compensation benefits, as well as supplemental benefits, for the period set forth above (Section 108.1); secondly, whether or not the Company has violated Section 108.2 by failing to return the grievant to work. Looking to the first, the entitlement to supplemental benefits hinges on the employee's entitlement to temporary Workers' Compensation. The Review Committee is without jurisdiction to make this determination. However, a copy of this decision ~~is~~ referred to the appropriate Company department for decision and response. <sup>is</sup>

Looking then to the second question raised, that concerning returning the employee to a light work job pursuant to Section 108.2, the record is devoid of any facts upon which the Committee might make a decision in that regard.

### Decision

A copy of this decision will be forwarded to the parties' respective workers' compensation counsel for resolution of the grievant's entitlement to temporary workers' compensation benefits for the period involved. After which, this Committee will issue a final decision based on the outcome of the referral.

  
L. V. BROWN, For the Company

  
L. N. FOSS, For the Union

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cc: DABrand LCBeanland  
IWBonbright JACates/DKLee