

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

CASE CLOSED
LOGGED AND FILED

JUN 23 1982

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
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

General Construction Grievance No. 3-1012-81-116
P-RC 759

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

June 22, 1982

RECEIVED JUN 23 1982

MR. R. S. BAIN, Chairman
General Construction
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, pursuant to Step Five A(i) of the grievance procedure, to the Joint Grievance Committee for settlement in accordance with the following:

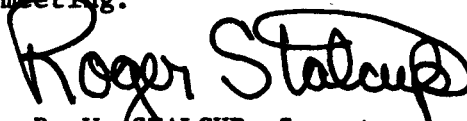
This case concerns the termination of a Welder who was employed in the Gas Construction Department at McDonald Island. As a result of a lack of work at his headquarters, he was given a demotion/layoff questionnaire on August 20, 1981. However, due to an unexpected increase in workload, the grievant was not demoted; and he worked until September 11, 1980 as a Welder and at that time was notified that he was being transferred to Palo Alto effective September 14, 1981 as an Arc Welder. This was an ordinary transfer and not a displacement as provided for in Title 306 of the Agreement. Due to personal problems, the grievant informed supervision that he was unable to accept the reassignment and wished to be demoted to a Helper in the Stockton area.

The Joint Statement of Facts indicates that there was some confusion relative to the propriety of the demotion and layoff questionnaire which seems to cloud the real issue in the grievance. The facts indicate the grievant did not accept the reassignment and, after 10 days off the payroll, was considered resigned. However, in view of the circumstances and considering that the grievant was a satisfactory employee, the Pre-Review Committee is of the opinion that the grievant did not voluntarily resign and at one point was led to believe that he could have stayed at McDonald Island as a Helper if he so desired. Therefore, the Pre-Review Committee agrees to allow the grievant rehire rights as provided for in Section 306.14 of the Agreement effective the date of this decision, and continuing for one year thereafter. Further, the

Committee agrees that the grievant is entitled to accelerated promotional rights as provided for in Section 306.9 of the Agreement upon his return.

This case is considered closed on the basis of the foregoing and the adjustments provided herein, and the closure should be so noted in the minutes of your next Joint Grievance Committee meeting.


D. J. BERGMAN, Chairman
Review Committee


R. W. STALCUP, Secretary
Review Committee

DJB:ml

cc: GSBates
LCBeanland
IWBonbright
FCBuchholz
GClerk
RHCunningham
AWDefoe
NRFarley
DKLee
DAOkabayashi
TCPhebus
WKSnyder
JBStoutamore
CPTaylor
CEWelte
Division Personnel Managers