

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 MAY 10 1983
LOGGED AND FILED

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED MAY 19 1983

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

San Francisco Division Grievance No. 2-736-82-36
P-RC 805

May 18, 1983

MR. K. H. ANDERSON, Company Member
San Francisco Division
Local Investigating Committee

MR. F. A. SAXSENMEIER, Union Member
San Francisco Division
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 Step Five A(i) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case concerns the denial of eight hours of sick leave pay.

Facts of the Case

The grievant was absent from work on April 16, 1982. He had been informed on June 19, 1981, confirmed in a letter to him dated June 29, 1981, that he must provide satisfactory evidence of illness each time he is off sick. Failure to provide such evidence would result in denial of sick leave pay or the absence being unauthorized, whichever is appropriate.

The record indicates that the employee was denied sick leave pay because the Kaiser slip he provided did not indicate the nature of the illness, and it was dated three days after the grievant's absence.

Discussion

Subsequent to being put on notice to provide proof of illness, the grievant was absent due to illness on ten occasions through the end of 1982. For the first two absences, the grievant provided documentation which was accepted. On one date (for his absence of June 28, 1981), he provided a Kaiser slip which contained no diagnosis. The slip was also dated four days in advance of his absence. However, he did receive sick leave pay.

For the next four absences, (October 17, 1981, November 22, 1981, January 18, 1982 and January 20, 1982), apparently nothing was provided by the grievant, yet he was paid sick leave. The next absence on April 16, 1982 is the subject of this grievance. Subsequent to April 16, 1982, the grievant was absent on three more occasions (June 21, 1982, August 9, 1982 and November 9 and 10, 1982). For the June 21, 1982 and August 9, 1982 absences, apparently nothing was

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provided; and the grievant was nevertheless paid. For the absence on November 9 and 10, 1982, he again turned in a Kaiser slip sans diagnosis that said, "Patient states". Again, he was paid.


The Committee also reviewed documentation submitted by other employees in the same department as the grievant. Many of these documents were Kaiser slips which did not include a diagnosis and had been accepted by the Company.

Decision

Without agreeing whether or not the document provided constitutes satisfactory evidence of illness based on the inconsistent application of the requirement to provide evidence, the Pre-Review Committee is in agreement that the grievant should be paid for his absence on April 16, 1982. The grievant's improved attendance was noted by the Committee, and it is recommended that his attendance record be reviewed to determine if there is a continued need to provide evidence of illness.

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


D. J. BERGMAN, Chairman
Review Committee


R. W. STALCUP, Secretary
Review Committee

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