

REVIEW COMMITTEE

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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
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL


East Bay Division Grievance No. 1-1820-83-8
P-RC 834

December 27, 1983

MR. R. R. DOERING, Company Member
East Bay Division
Local Investigating Committee

MR. V. STAMPS, Union Member
East Bay Division
Local Investigating Committee

This is in reference to P-RC 834. It has been brought to the attention of the Pre-Review Committee that Item 3 of the Joint Statement of Facts is in error and, consequently, the decision. In making this equity settlement, it was the intent of the parties to make the grievant whole and, therefore, it will be in order to pay the grievant for both December 2, 1982 and December 8, 1982.


D. J. BERGMAN, Chairman
Review Committee

MAShort(1123):lsc

cc: ✓RWStalcup

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CASE CLOSED OCT 31 1983
LOGGED AND FILED

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

East Bay Division Grievance No. 1-1820-83-8
P-RC 834

October 13, 1983

MR. R. R. DOERING, Company Member
East Bay Division
Local Investigating Committee

MR. V. STAMPS, Union Member
East Bay 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(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

On November 30, 1982, the grievant returned to work after being on a leave of absence from June 10, 1982 until November 27, 1982 for a personal medical problem. Approximately one week prior to the employee's returning from the leave of absence, his supervisor contacted him to inform him of the number of vacation days and holidays he needed to schedule prior to the end of the year. The supervisor misinformed the grievant by stating that he was entitled to in lieu holidays for Independence Day (July 4, 1982) and Labor Day (September 6, 1982). At that point, the grievant informed the supervisor that he did not believe he had those two days coming. The supervisor informed him that he was entitled to all of the days mentioned. The grievant then took the two holidays in question on December 2, 1982 and December 8, 1982. He was paid for December 2, 1982 as a vacation day and did not receive payment for December 8, 1982.

Discussion

The Union took the position that the supervisor, in acting as an agent of the Company, informed the employee to take the days in question. The employee questioned taking those days as he did not believe he was entitled to them. The supervisor nevertheless informed the employee that he was entitled. The Company opined that the employee had not requested, pursuant to Section 111.11, to defer any vacation until 1983. Therefore, when the December 2, 1982 date was paid as a vacation day, the employee did not lose out. The Company, in recognizing that the employee was not reimbursed for December 8, 1982, offered to compensate the employee for that day as an equity settlement.

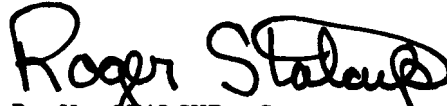
Decision

The grievant will be compensated for December 8, 1982 at the straight rate of pay for eight hours. This case is considered closed on the basis of the

foregoing without prejudice to the position of either party. Such 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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