

REVIEW COMMITTEE112.14
204.3**PG and E****IBEW** 

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INTERNATIONAL BROTHERHOOD OF
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R.W. STALCUP, SECRETARY

**CASE CLOSED
LOGGED AND FILED**

FEB 27 1986

D.J. BERGMAN, CHAIRMAN

RECEIVED FEB 26 1986

San Joaquin Division Grievance No. 25-795-85-38
P-RC 1066

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

February 21, 1986

TOM C. PHEBUS, Company Member
San Joaquin Division
Local Investigating Committee

WAYNE WEAVER, Union Member
San Joaquin 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

This grievance concerns the appropriate sick leave rate of pay for an employee on a payroll change tag into a lower-paid classification than his regular classification.

Facts of the Case

The grievant, a Lineman with a prebid on file to Inspector, was placed into an Inspector position on a temporary assignment at the Inspector rate of pay on July 9, 1984. On January 7, 1985, the assignment was extended until July 7, 1985 by payroll change tag.

On May 23, 1985, the grievant suffered a personal injury while on vacation. The grievant was paid sick leave at the Inspector rate until the payroll change tag to Inspector expired, at which time he was placed back into the Lineman classification and paid sick leave at that rate.

Discussion

The Union's initial position was that the grievant was inappropriately compensated at the Inspector rate for all time worked as well as time on sick leave. Following an examination of Review Committee Decisions 909 and 934, the parties agreed that the grievant was appropriately paid at the Inspector rate while working in that classification. The issue left before the Pre-Review Committee was the appropriate rate of pay for the grievant following his personal injury.

Section 112.14 of the Physical Agreement clearly addresses the issue of sick leave payment for an employee who is temporarily upgraded other than on a time card basis. The Union argued that the language of that section does not

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apply to the grievant in this case because he was not technically "upgraded" but was working in a lower-paid classification.

The Committee again examined Review Committee Decisions 909 and 934 and their application to the question of rates of pay. The Committee noted that Section 204.3 addresses temporary "upgrades" but not temporary "assignments" to lower-paid classifications. Yet, the Review Committee determined that employees volunteering to work in classifications considered lower in their line of progression will be paid at the lower rate. The case at hand is analogous. The Pre-Review Committee used the same logic in determining that the language in Section 112.14 applies to all temporary assignments other than on a time card basis. The intent of the language is to treat employees for sick leave purposes as if they are in that classification, regardless of whether the classification is higher or lower paid than their regular classification.

Decision

The grievant in this case was appropriately compensated at the Inspector rate for the entire period he was on a payroll change tag into the Inspector classification.

Based on the foregoing, this case is considered closed and should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman
Review Committee



ROGER W. STALCUP, Secretary
Review Committee

RRD:ml