



# REVIEW COMMITTEE

PACIFIC GAS AND ELECTRIC COMPANY  
215 MARKET STREET, ROOM 916  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 973-1125

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

MAR 13 1991

**CASE CLOSED  
LOGGED AND FILED**

MAR 12 1991

San Jose Division Grievance Nos. 08-1166-88-17/08-1167-88-18  
P-RC 1459

102.3 -Time Limits  
Grieved incident known to  
grievant 9/24/87; Gr filed  
12/18/88: Wasn't timely.

**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  
R.W. STALCUP, SECRETARY

March 8, 1991

MARTY RATEAU, Company Member  
San Jose Division  
Local Investigating Committee

DENNIS SEYFER, Union Member  
San Jose Division  
Local Investigating Committee

### Subject of the Grievance

This case concerns a grievance filed over Company's refusal to restore sick leave to a grievant following a determination that the grievant had suffered an industrial injury. Company denied the grievance on the basis that it was untimely and not a proper subject for the grievance procedure.

### Facts of the Case

The grievant had numerous absences charged to sick leave. Those absences were later determined to be industrially related. However, the absences were not converted to the Compensation Payroll because the grievant declined to repurchase his sick leave in the settlement of his Workers' Compensation claim. The grievant was notified by letter on September 24, 1987 and November 12, 1987 of the fact sick leave would not be converted. A grievance on this issue was filed on February 18, 1988 and denied by the Company. The subject grievance over the refusal to process the first grievance was timely filed.

### Settlement

The Committee agrees that the grievance filed over the refusal to convert sick leave was untimely and properly denied by the Company. The filing of the grievance was more than thirty days after notification to the grievant that sick leave would not be converted.

This settlement does not address the merits of whether Company's refusal to convert sick leave was proper or a proper subject for the grievance procedure.

Based on the above, this case is closed without adjustment and such closure should be noted by the Local Investigating Committee.

  
DAVID J. BERGMAN, Chairman  
Review Committee

  
ROGER W. STALCUP, Secretary  
Review Committee

RRDoering(223-8510):nj