



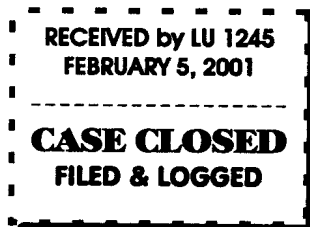
REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4282

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL



INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(925) 933-6060
BOB CHOATE, SECRETARY

Pre-Review Committee No. 11807

Robin Wix
Company Member
Local Investigating Committee

Arlene Edwards
Union Member
Local Investigating Committee

Subject of the Grievance

Union alleged Company is violating the intent of the bargaining agreement by treating sick leave usage for one's self the same as usage for a family member.

Facts of the Case

Union questioned the practice at the Billing Center in West Sacramento of requiring employees to provide proof of illness for family members and for including use of Family Sick Leave in disciplinary action/letters.

The LIC report has no specific examples and no specific grievant.

Discussion

The PRC noted that Assembly Bill 109 became effective as California law January 1, 2000. It allows employees to take up to 50% of their current sick leave (up to 40 hours) to care for eligible family members. The Bill provides that such time off shall not be used to extend time-off under the Family Medical Leave Act (federal legislation) and that **all standards conditions and restrictions that generally govern sick leave usage by employees shall apply to paid Family Sick Leave, including medical certification.** AB 109 further prohibits the Company from denying the use of FSL or from discharging, threatening to discharge, demoting, suspending, or in any manner discriminating in the terms and conditions of employment against an employee for using or attempting to exercise the right to use, paid FSL to attend to the illness of an eligible family member.

What this means is that requests for sick leave usage for an eligible family member are subject to the same conditions as sick leave usage for an employee. If an employee is on notice to provide proof for their own illness, they will be required to provide proof of the illness of an eligible family member. If an absence is suspicious or abuse is suspected, proof may be required. Further, abuse of FSL (that is using the time off for other than its intended purpose) would not be protected under the AB 109.

Decision

There was no contractual violation in this case. The LIC may apply the above guidance to any specific situations for which a timely adjustment may be appropriate.

Margaret Short

Margaret A. Short, Chairman
Review Committee

2/2/01

Date

Sam A. Tamimi

Sam Tamimi, Secretary
Review Committee

2-2-2001

Date