

112.16: Grievant's request for "Family Sick Leave" to take care of his sick uncle is denied; but, instead was granted a vacation to use.

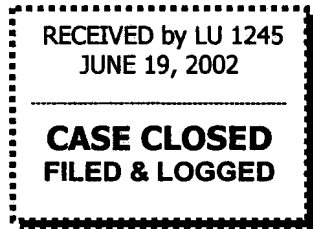


REVIEW COMMITTEE

IBEW



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



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
SALIM A. TAMIMI, SECRETARY

MARGARET A. SHORT, CHAIRMAN

DECISION
LETTER DECISION
PRE-REVIEW REFERRAL

Pre-Review Committee No. 12798

California Gas Transmission – Operations and Maintenance – Hinkley

Kris Picton
Company Member
Local Investigating Committee

Mike Grill
Union Member
Local Investigating Committee

Subject of the Grievance

Grievant requested Family Sick Leave to take his uncle to the doctor. Sick leave was denied; vacation was granted.

Facts of the Case

The grievant is on a ten-hour schedule. The grievant submitted documentation from the Superior Court in San Bernardino establishing the grievant as the Conservator of the person and estate of his uncle. The court order is dated January 17, 1997.

The box which is checked indicates:

"powers to be exercised independently under section 2590 of the Probate Code as specified in attachment 3b (specify powers, restrictions, conditions, and limitations)."

Boxes not checked include:

"exclusive authority to give consent for and to require the conservatee to receive medial treatment that the conservator in good faith based on medical advice determines to be necessary even if the conservatee objects, subject to the limitations stated in section 2356 of the Probate Code."

"conditions relating to the care, treatment, education, and welfare of the conservatee under section 2358 of the Probate Code as specified in attachment 3d."

The grievant shared the court order with his supervisor in 1997 and has since used vacation time to take care of matters relating to his uncle. On April 17, 2001 the uncle was taken by ambulance to the hospital. The grievant was granted six hours of personal business with permission with pay (P time). He asked for April 18 as a Family Sick Leave Day and when that was denied, he was granted a vacation day.

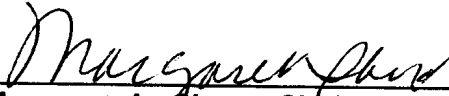
Discussion

Effective January 1, 2000 a new California law took effect. The law allows employees to use ½ of their current year's sick leave for caring for sick relatives or taking them to medical appointments. The law and the labor agreement Section 112.16 is specific as to which relatives qualify. They are: spouse, child, or parent. Uncle does not qualify nor can an adult uncle be considered a child.

The parties processed this grievance because the Union was interested in getting this question clarified, however, it was agreed that this grievance was not filed within the contractual time limits.

Decision

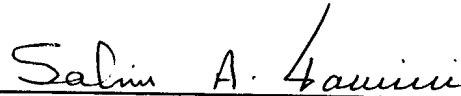
No violation of the agreement occurred. This case is closed without adjustment.



Margaret A. Short, Chairman
Review Committee

6/20/02

Date



Sam Tamimi, Secretary
Review Committee

6-20-02

Date