

*Approved by General
Stevenson 4/14/57
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REVIEW COMMITTEE DECISION

Review Committee File No. 169
Coast Valleys Division Grievance No. 61

Subject of Grievance:

The Division posted a Sub-Foreman job vacancy in the Electric T & D at Salinas. Gerald A. Dyer, lineman and senior bidder for the job, was disqualified owing to alleged lack of leadership and supervisory qualifications. The job was awarded to a bidder junior to Dyer in seniority standing. A grievance was filed protesting the job award. This grievance was processed through the local investigating committee, which went into considerable detail in gathering pertinent information, but the members of such committee failed to reach a joint conclusion with respect to the disposition of the grievance. Thereafter, the members of such committee filed their separate reports with the Division Joint Grievance Committee. The latter committee was unable to agree and the case was forwarded to the review committee for a decision.

Statement and Decision:

Cases such as this, which turn on the qualifications of employees to perform jobs to which they aspire, are not easily settled at the review committee level. The reason for this is that the review committee members are governed predominantly by the written record forwarded from the local level and otherwise have no first hand knowledge of the employee involved, or of his work activity. Primarily then, the review committee must scrutinize closely the case record in order to be alert to such things as possible errors in the record, inconsistencies in the facts as developed by each side, arbitrary and prejudicial opinions not supported by proper background material, etc. The members of the committee must also fully explore and discuss all differences of opinion between the parties with the ultimate aim being to settle the grievance on a basis which is fair to the grievant and which properly respects the supervisor's obligation to select qualified employees to carry on the Company's activities.

In the instant case, this committee, in addition to reviewing the record as outlined above, exercised the right afforded to it of conducting a hearing in the Division. From the testimony given by both sides at such hearing, the grievant, Union representatives and Company supervisors being present, further insight was developed with respect to the details of this grievance.

Specific discussions in the committee found that although Company and Union members were not in full accord as to the weight and significance of all evidence presented, nevertheless they were in agreement on the following disposition:

The by-pass of Gerald Dyer for the Sub-Foreman job on which he bid, is upheld, and the award to the junior bidder is affirmed. Because of indications of improvement, Mr. Dyer, however, is to be given full opportunity for selection to fill further sub-foreman vacancies, either temporary, or ac-

ording to bid, without disqualification. During such period that he fills a sub-foreman's job, his ability to lead and to supervise is to be closely observed by the Division until it is ascertained that he has overcome the objections raised concerning his qualifications to handle such a job, or it is determined that he cannot properly fill the job according to the standards of the job description. Failure on the part of Mr. Dyer to meet the requirements of the sub-foreman job shall, on proper showing, be reason for his demotion to the journeyman classification of lineman.

FOR UNION:

Kenneth Stevenson
Robert D. Bevers
L. L. Mitchell

By L. L. Mitchell

Date Apr 17, 1959

FOR COMPANY:

E. F. Sibley
C. L. Yager
V. J. Thompson

By V. J. Thompson

Date March 26, 1959