

PACIFIC GAS AND ELECTRIC COMPANY

**COPY**

INDUSTRIAL RELATIONS  
741.5

Review Committee File No. 314  
Exempt Employee Demoted to Nonexempt Job

January 5, 1962

MR. E. C. HERSAM:

As indicated in the attached letter, Union members of the Review Committee have withdrawn the above subject grievance.

Please note in the minutes of your next Joint Grievance Committee Meeting that his case is closed.

/s/ V. J. THOMPSON  
Chairman, Review Committee

LVB:djf  
Attachment

cc: EFS  
CLY  
LLM (3)

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December 14, 1961

Mr. V. J. Thompson, Chairman  
Review Committee  
Pacific Gas & Electric Company  
245 Market Street  
San Francisco 6, California

Dear Mr. Thompson:

After reviewing Review Committee File #314, it appears that deciding the issue of Mr. Holmes' status before demotion - that is, whether he was demoted from Foreman or Subforeman - would not provide an answer to the problem which now exists.

It is apparent from subsequent events that Mr. Holmes is unable to continue employment in any capacity due to physical complications. It also appears that a need existed for providing a job for Mr. Holmes with less responsibility prior to the situation now in existence which has caused Mr. Holmes to seek early retirement. This is true regardless of his former status. It is also true that deciding this issue would not establish a basis for interpreting future cases of a like nature as these would also have to be reviewed in light of the particular facts of a given case.

Therefore, the Union is withdrawing this case from the Review file and will consider the case closed inasmuch as Mr. Holmes is to retire March 1, 1962, and is now off on sick leave. In doing so, we recognize we can press no further claim for Mr. Holmes, but would like to offer the following suggestion.

This grievance arose over a technical question resulting from an effort to provide a long time employee with a means of employment until normal retirement date. The effort proved fruitless because of Mr. Holmes' condition. In view of this, it would seem to Union's members of the Review Committee that it would be no more than proper to compensate Mr. Holmes for his accumulated sick leave and vacation at the rate of the classification in which he spent some 26 years of his 32 years of service with the Company and the one in which his sick leave and vacation were earned.

Very truly yours,

L. L. Mitchell, Secretary  
Review Committee

LLM:do  
cc: WM Fleming  
K Stevenson  
R Emley