

REVIEW COMMITTEE DECISION

Review Committee File No. 393
North Bay Division Grievance No. 4-44

Subject of the Grievance

The grievant, a Lineman headquartered at Vallejo, contends that he is entitled to temporary upgrades to Subforeman vacancies at the Vallejo headquarters. The facts indicate that the District is presently upgrading another Lineman, Mr. Harrold, to such temporary vacancies as, in their view, he is entitled to preferential consideration as a veteran under the provisions of Section 205.10. A review of their respective employment records reveals that the grievant was awarded a Lineman classification on March 17, 1959; Mr. Harrold was awarded a Lineman classification June 27, 1960. The grievant's Company seniority dates from October 9, 1950, and Mr. Harrold's from October 6, 1948.

It also appears from the auditing card that Mr. Harrold entered the military service on October 26, 1951, while employed as a Groundman by the General Construction Department. He returned to the General Construction Department on October 30, 1953, and was subsequently promoted to Apprentice Lineman on June 12, 1955. Following this, he accepted a Groundman classification in the North Bay Division on December 12, 1955.

Discussion

The issue concerned with in this grievance is whether Mr. Harrold is entitled in this case to preferential consideration under the provisions of Section 205.10. The Review Committee is of the opinion that he is not. The employee's acceptance of a lower classification in the North Bay Division had the effect of cutting off his rights under the provisions of that Section to preferential consideration for temporary appointment to Subforeman vacancies over an employee having greater Lineman classification seniority.

Decision

The grievance is sustained to the extent that if such vacancies are filled in the future on consideration of classification seniority alone, the grievant is entitled to such upgrades over Mr. Harrold.

FOR UNION:

R. W. Fields
W. M. Fleming
L. L. Mitchell

By

L. L. Mitchell

Date Apr. 23, 1963

FOR COMPANY:

E. F. Sibley
C. L. Yager
L. V. Brown

By

L. V. Brown

Date April 19, 1963