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**JUN 5 1974**  
**UJ 1245 L.B.W.**

**DIVISION OR DEPARTMENT**  
**FILE NO.**  
**RE LETTER OF SUBJECT**

**INDUSTRIAL RELATIONS**  
**741.5**

Review Committee File No. 1307  
North Bay Division Grievance Nos. 4-73-12 and 4-73-14  
Disciplinary Letter Without Just or Sufficient Cause

102.2  
205

May 30, 1974

MR. R. H. JONES, Chairman  
North Bay Division  
Joint Grievance Committee

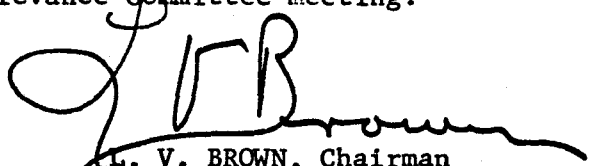
The above-subject grievance has been reviewed by the Review Committee and is being returned to the Division Joint Grievance Committee for settlement in accordance with the following:

The record indicates that the grievant was bypassed for upgrades for alleged demonstrated lack of interest and knowledge of safe work procedures as a result of several instances over the last two or three years. The grievant was to be bypassed until his performance indicated that he was ready to accept the responsibilities of a higher classification. The grievant's job performance since his bypass in February 1973 has been satisfactory. The record indicates also that on July 2, 1973 he was upgraded to Line Subforeman.

The unanswered issue in the grievance is not one of whether the grievant is a qualified Lineman, but one of being able to accept responsibility in higher classifications requiring supervisory abilities and good judgment. The record standing by itself does not justify the grievant being bypassed for a one-year period of time. Therefore, the Review Committee is of the opinion that the grievant should have been given the opportunity to further demonstrate his qualifications as Subforeman or Troubleman and, to this end, agree that he should have been considered for upgrades after July 2, 1973.

As to a remedy, the Review Committee believes that the Joint Grievance Committee should review the upgrades that took place in the Line Subforeman and Troubleman classifications in San Rafael since July 2, 1973, and consider the grievant's relative seniority to those employees that were upgraded and accordingly make the necessary wage adjustments.

This case is considered closed and should be so noted in the minutes of your next Joint Grievance Committee meeting.

  
L. V. BROWN, Chairman  
Review Committee

DJBergman:rto

cc: JGFoster PMatthew  
IWBonbright Personnel Managers  
JAFairchild ✓ LNFoss, IBEW