

DIVISION OR DEPARTMENT INDUSTRIAL RELATIONS  
FILE NO. 741.5  
RE LETTER OF  
SUBJECT Review Committee File No. 1360  
San Jose Division Grievance No. 8-74-7  
Bypass of G. C. Lineman on Division Lineman

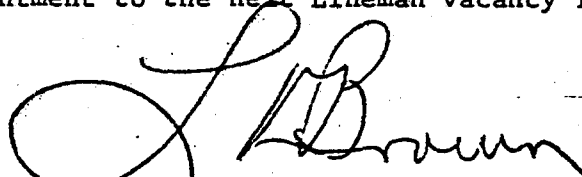
October 1, 1974

MR. F. L. NETTELL, Chairman  
San Jose Division  
Joint Grievance Committee

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

The record indicates that the Division's justification for bypass of the grievant was primarily predicated on the grievant's actions of December 8, 1973 resulting in a five-day disciplinary layoff without pay for his unauthorized use of Company's tools and violation of Company policy. The Review Committee is of the opinion that this is not a proper foundation for bypass to Lineman in your Division. In short, the misconduct does not serve to disqualify him as a Lineman as evidenced by the fact that he was not demoted from that classification following the misconduct.

Therefore, as there is no wage liability at issue, pursuant to the provisions of Section 205.19 of the Physical Labor Agreement, the Company and Union members of the Review Committee agree that the grievant shall be offered an appointment to the next Lineman vacancy in Peninsula District.



L. V. BROWN, Chairman  
Review Committee

DJBergman:pmh

cc: VHLind  
IWBonbright  
JAFairchild  
PMatthew  
AMKezer  
LNFoss, IBEW