

MEMORANDUM OF DISPOSITION

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EU. 1245 I.B.E.W.

FACT FINDING COMMITTEE CASE NO. 295-76-97
EAST BAY DIVISION GRIEVANCE NO. 1-14-76-14

On September 8, 1976 the Fact Finding Committee, comprised of Messrs. L. N. Foss, Assistant Business Manager, Local Union 1245, IBEW; M. A. Mederos, Union Business Representative; D. J. Bergman, Industrial Relations Representative; and P. E. Pettigrew, Labor Relations Representative; with R. L. Dunkin, Union Business Representative, observing, met to discuss the grievance concerning the alleged discrimination against Mr. P. E. Nelson, Apprentice Machinist, Contra Costa Power Plant.

The Committee reviewed the Joint Statement of Facts and determined they were accurate.

The Committee agreed that Company has the right to maintain records on its employees which are normally contained in the employee's personnel file. Committee members further concluded that the employee has the right to rebut anything contained in the personnel jacket, and believes that Mr. Nelson was given the right to do so, which resulted in this grievance.

The Committee, in reviewing the memos referred to in the grievance, wishes to correct the record to note that such memos, although referred to as disciplinary in the grievance and in the Joint Statement of Facts, are not disciplinary by their nature. Further, the Committee feels that the proposed settlement referred to in the Joint Statement of Facts, with respect to removing Grievance No. 1-75-75 from the grievant's personnel jacket, is proper. The Committee further believes that a copy of the present grievance with this Fact Finding decision should be maintained in Mr. Nelson's personnel file.

If the Local Investigating Committee agrees to the removal of Grievance No. 1-75-75, the Fact Finding Committee will close this grievance on that basis.

L. N. Foss Concur/Dissent 10-1-76 Date
L. N. Foss, Union Member

M. A. Mederos Concur/Dissent 10-1-76 Date
M. A. Mederos, Union Member

D. J. Bergman Concur/Dissent 10-1-76 Date
D. J. Bergman, Company Member

P. E. Pettigrew Concur/Dissent 10/1/76 Date
P. E. Pettigrew, Company Member