

LAI 3-17-69

102.6

9.3c

LABOR AGREEMENT INTERPRETATION

SUBJECT: Retroactive Wage Adjustment - Continuing Grievances.

SECTION 102.6 - Physical Agreement

SECTION 9.5 - Clerical Agreement

For the purpose of determining the extent of a retroactive wage adjustment resulting from the submission of a continuing grievance timely filed under the applicable provisions of Section 102.6 or 9.5, the following procedure will be observed. For this purpose, a "continuing grievance" is defined as a continuing course of conduct allegedly in violation of the Labor Agreement as opposed to a single isolated and completed transaction.

1. The period of retroactive wage adjustment shall not exceed thirty (30) calendar days prior to the date of filing such grievance in writing in the form and manner prescribed by Section 102.6 or 9.5, whichever is applicable, unless
2. ^{IT CAN BE ESTABLISHED} ~~There is uncontroverted proof~~ that sometime prior to filing the grievance, as provided above, the grievant requested his or her supervisor to make the same correction, during the period of that continuing course of conduct, and a supervisor of grievant, who is authorized to make the correction, had declined to do so. The period of retroactive wage adjustment in this case (or an adjustment made pursuant to the provisions of Section 102.15 or 9.14) shall commence with the date it can be established that grievant made such request. In either event, however, if the request was made within thirty (30) calendar days of the day the alleged violation first occurred, the adjustment shall commence with the first day the violation occurred.

It is further understood and agreed that this interpretation shall in no way limit Company's right to make further wage adjustments which result from unintentional or inadvertent errors which are not alleged to be a matter of law or interpretation of the Labor Agreements.

For Union Ronald T. Westley
Its Business Manager

For Company J. W. Bealright
Its Manager of
Industrial Relations

Date March 17, 1969