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**INDUSTRIAL RELATIONS
741.5****De Sabla Division Grievance No. D.Gr/LOCAL-5245, I.B.E.W.
Filling of Reserve Gas Serviceman Vacancy, Chico
P-RC 10**

December 3, 1973

**MR. S. C. ANDERSON, Chairman
De Sabla Division
Joint Grievance Committee**

The above-subject grievance has been reviewed prior to its docketing on the agenda of the Review Committee. It was determined that the Joint Statement of Facts provides an inadequate basis for settlement. Specifically, the issue in the grievance is not clear.

Based on the facts, it appears to the Review Committee that a contractual violation has not taken place. The intent of the contract is to fill regular vacancies as expeditiously as possible, and the Division should make every effort to comply with the spirit of the contract.

In reviewing this grievance, it became evident to the Review Committee that the Joint Grievance Committee failed to meet the mandatory time limits set forth in Section 102.11 of the Physical Agreement where it states: "Referral shall be made no later than 14 calendar days from the date of request in the case of grievances involving the discharge of an employee and no later than 30 calendar days for all others." Failure to do so defeats the purpose of the grievance procedure and may in future cases result in the Review Committee granting of corrections asked for or the closure of grievances without adjustment, notwithstanding the merit of the cases.

After the Joint Statement of Facts is completed, the Committee should again attempt to reach a settlement in the case. If not, then the case should be returned to the Review Committee for settlement.

L. V. BROWN**L. V. BROWN, Chairman
Review Committee**

DJBergman:mt

cc: CRMartin
IWBonbright
TJSnapp
LNFoss, IBEW