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DIVISION OR DEPARTMENT **INDUSTRIAL RELATIONS**
 FILE NO. **741.5**
 RE LETTER OF
 SUBJECT **San Jose Division Grievance No. 8-74-35**
Violation of Title 104 - Meals
P-RC 90

NOV 6 - 1974

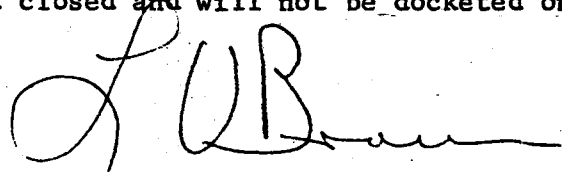
MR. F. L. NETTELL, Chairman
San Jose Division
Joint Grievance Committee

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned to the Division for settlement in accordance with the following:

The record indicates that the unresolved issue in this case is one of whether the thick cut steaks ordered by the grievants were a comparable substitute for a breakfast meal. In reviewing the circumstances surrounding this meal, the Pre-Review Committee is of the opinion that the extra thick cut steaks in this case was a luxury item taking into consideration the type of job involved, the hours worked by the grievants, weather conditions, and the availability of restaurants in the area. Otherwise, the meal did not withstand the test of "reasonableness" as outlined in the Labor Agreement Interpretation, Title 104, Comparable Substitute for Usual Average Meals.

As to an appropriate substitute in this case, the Pre-Review Committee agrees that the pepper steak and eggs meals should be used as a reasonable price and the adjustments made accordingly.

This case is considered closed and will not be docketed on the agenda of the Review Committee.



L. V. BROWN, Chairman
Review Committee

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cc: **VHLind**
IWBonbright
AMKezer
LNFOss, IBEW