

REVIEW COMMITTEE

PG and E

PACIFIC GAS AND ELECTRIC COMPANY
245 MARKET STREET, ROOM 444
SAN FRANCISCO, CALIFORNIA 94106
(415) 781-4211, EXTENSION 1125

IBEW 

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(415) 933-6080
L.N. FOSS, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
 LETTER DECISION
 PRE-REVIEW REFERRAL

General Construction Grievance No.
3-284-77-155
P-RC 343
Proper Compensation and Supplemental
Benefits

May 19, 1978

MR. JOSEPH A. CATES, Company Member
General Construction
Local Investigating Committee

MR. ROGER STALCUP, Union Member
General Construction
Local Investigating Committee

Statement of the Case

The facts appear undisputed that the employee was injured on the job May 10, 1977, when he was employed as a Towerman. He continued to work thereafter through a succession of demotions for lack of work and promotions. At the time he was placed on light duty, June 9, 1977, as a result of his earlier injuries, and later when he went on the compensation payroll, June 27, the employee was classified and paid at the second step of Apprentice Lineman.

The Union contends in this instance that the employee, when he went on the compensation payroll, should have been paid as a Towerman as opposed to Apprentice Lineman.

Discussion

The LIC report focuses on the application of the earlier guidelines in Review Committee Decision No. 219. To this extent, we believe that the lower committees started on a false premise that ultimately resulted in the case coming to Review.

Review Committee Decision No. 219 deals with the supplemental benefit entitlements of an employee who has been notified that he will be laid off for lack of work before or after an industrial accident. It does not discuss or extend to the question of the employee's rate of pay and is not of assistance to this Committee with regard to the question of pay, which is the essential issue before Review Committee.

Decision

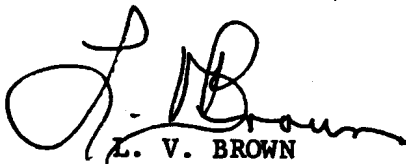
The rate of pay with regard to supplemental benefits during a temporary industrial disability is governed by Section 108.1 of the Labor Agreement. There, it is stated that such "benefits (pay) shall commence with the first workday of

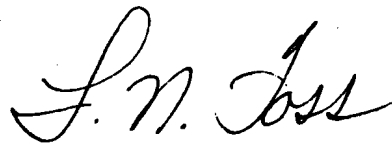
May 19, 1978

absence ..." Here, it is undisputed that the first day of absence occurred on June 27 when the employee was receiving the second step rate of pay as an Apprentice Lineman. Thus, the amount of supplemental benefits payable for each day of the following absence are calculated at the second step Apprentice.

A question still remains as to the delay in the grievant's obtaining medical treatment. The Review Committee will still pursue that question.

For the reasons stated above, the Review Committee case is returned to the General Construction Joint Grievance Committee for settlement on the basis of the foregoing.


L. V. BROWN
For Company


L. N. FOSS
For Union

LVB:rto