

# REVIEW COMMITTEE

## PG and E



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

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(415) 933-6060  
M.A. MEDEROS, SECRETARY

RECEIVED MAR 26 1980  
CASE CLOSED  
LOGGED AND FILED

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

San Jose Division Grievance No. 8-325-79-23  
P-RC 474  
Placed on Compensation Payroll

March 17, 1980

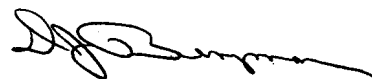
MR. F. L. NETTELL, Chairman  
Joint Grievance Committee  
San Jose Division

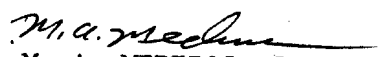
The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned, pursuant to Section I B(2) of the Review Committee procedure, to the Joint Grievance Committee for Settlement in accordance with the following:

The issue involved in this case concerns an employee who was placed on compensation payroll on November 1, 1977, and removed on December 11, 1978, when he was placed on medical leave of absence. For various personal reasons, the grievant did not secure a release from a doctor to return to work from the medical leave of absence until February 26, 1979. The Union, in the Joint Grievance Committee, contends that the grievant should have remained on the compensation payroll until he was released to return to work by his physician. The grievant, however, had signed a Compromise and Release Statement on November 9, 1978, and the issue before the Pre-Review Committee is whether or not, following the signing of this Statement, the Company is released from any further obligation under Title 108 of the Physical Agreement.

Title 108 of the Physical Agreement provides for supplemental benefits equal to 85% of the employee's basic weekly wage rate less any compensation he is receiving under the Workers' Compensation and Insurance Chapters of the State Labor Code and benefits from the Voluntary Wage Benefit Plan. Upon signing the Compromise and Release Statement, the grievant released the Company from any further liability for claims and causes of action resulting from the injury and ended the temporary disability benefits he received under the Workers' Compensation Code. As a result, the supplemental benefit under Title 108 also ended.

Therefore, the grievant in this case is not entitled to supplemental benefits for the period in question. This case is considered closed on the basis of the foregoing, and the closure should be so noted in the minutes of your next Joint Grievance Committee meeting.

  
D. J. BERGMAN, Chairman  
Review Committee

  
M. A. MEDEROS, Secretary  
Review Committee

PEPettigrew(1123):kls  
Distribution as attached

cc: MBadella  
LCBeanland  
IWBonbright  
LVBrown  
FCBuchholz  
RHCunningham  
NRFarley  
CAMiller  
JBStoutamore  
WKSnyder  
CPTaylor  
Division Personnel  
Managers