



## REVIEW COMMITTEE

112.9 - Sick leave payoff  
for employee  
retiring from Comp  
payroll

**IBEW**



PACIFIC GAS AND ELECTRIC COMPANY  
215 MARKET STREET, ROOM 916  
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**CASE CLOSED  
LOGGED AND FILED**

**RECEIVED MAR 28 1989**

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
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R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- ☐ DECISION
- ☐ LETTER DECISION
- ☐ PRE-REVIEW REFERRAL

San Francisco Division Grievance 2-1416-86-154  
P-RC 1259

January 31, 1989

KENT H. ANDERSON, Company Member  
Golden Gate Region  
Local Investigating Committee

ED CARUSO, Union Member  
Golden Gate Region  
Local Investigating Committee

### Subject of the Grievance

This case concerns the application of Section 112.9 of the Physical Agreement to an employee who retired from the Compensation Payroll.

### Facts of the Case


The grievant was on the Compensation Payroll after having suffered an industrial injury on August 17, 1985. The grievant declined rehabilitation services and was given an option of Long Term Disability or retirement. He elected to retire effective December 1, 1986.

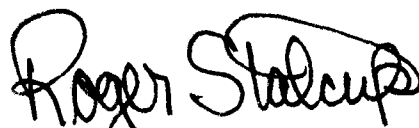
### Discussion

In discussion of this case, the Committee reviewed a November 9, 1983, letter from Ms. Barbara A. Coull to Mr. S. M. Baldassarre which references an Industrial Relations Department interpretation that pensioning from Long Term Disability is considered termination of employment because of physical disability in the meaning of Section 112.9. In this case, the grievant was eligible for Long Term Disability due to his physical disability but elected instead to retire. The Committee agrees that under these facts the grievant is entitled to the application of 112.9.

### Decision

The grievance is sustained and the Local Investigating Committee is directed to determine the grievant's sick leave entitlement at the time of retirement and apply Section 112.9.

  
DAVID J. BERGMAN, Chairman  
Review Committee

  
ROGER W. STALCUP, Secretary  
Review Committee

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