



# REVIEW COMMITTEE

108.1 (P) -Reduction in  
23.1 (C) supplemental  
benefits occurs  
after 182 cumulative  
days, not 182  
consecutive days.



PACIFIC GAS AND ELECTRIC COMPANY  
215 MARKET STREET, ROOM 916  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 973-1125

MAR - 5 1991

**CASE CLOSED  
LOGGED AND FILED**

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  
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

FEB 21 1991

DBU Grievance No. 46-127-89-42  
P-RC 1452

February 12, 1991

M. STORME SMITHERS, Company Member  
DBU Local Investigating Committee

KATHY MAAS, Union Member  
DBU Local Investigating Committee

### Subject of the Grievance

This case concerns the appropriate rate of supplemental benefit for an industrial injury.


### Facts of the Case

The grievant in this case developed pain in her wrists beginning in 1979. On January 9, 1987, she strained her left wrist and was on the Compensation Payroll from January 12, 1987 - March 1, 1987 (49 days), April 4, 1989 - July 23, 1989 (111 days), and August 14, 1989 through March 1, 1990 when she was placed on LTD. The grievant's supplemental benefit was reduced from 85% to 75% on September 5, 1989 because she had been absent in excess of 182 workdays. The reduction in the supplemental benefit resulted in this grievance.

### Settlement

The Committee is of the understanding that the grievant has filed a claim for cumulative strain to her wrists dating back prior to 1983. If it is determined that the grievant's injuries are cumulative and predate 1983, she is entitled to receive supplemental benefits at the 85% rate for the entire period of absence on compensation payroll. In accordance with Section 23.1 of the Clerical Agreement, her absences would be deemed to be as a result of an injury occurring prior to the language change in that section of the agreement. However, absent such a finding, the Committee agrees the grievant was appropriately compensated. Section 23.1 contemplates the accumulation of separate periods of absence for an injury in the determination of the appropriate rate of supplemental benefits.

  
DAVID J. BERGMAN, Chairman  
Review Committee

  
ROGER W. STALCUP, Secretary  
Review Committee

DJB:nj