



PACIFIC GAS AND ELECTRIC COMPANY
 201 MISSION STREET, 1513A
 SAN FRANCISCO, CALIFORNIA 94105
 (415) 973-1125

D.J. BERGMAN, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

REVIEW COMMITTEE

MAY 07 1993
 CASE CLOSED
 FILED & LOGGED

RECEIVED MAY 14 1993

Pre-Review Committee File No. 1654
 ENCON Grievance No. 3-2402-93-05

May 5, 1993

Bill McLoughlin
 Chairman, ENCON
 Joint Grievance Committee

Barry Humphrey
 Chairman, ENCON
 Joint Grievance Committee

Grievance Issue:

The Company required employees using sick leave following two scheduled days off, due to inclement weather, to provide the supervisor proof of illness.

Facts of the Case:

On January 5, 1993, employees were notified that January 6 and 7 would be inclement weather days. Employees were to return to work on Friday, January 8.

The Field Superintendent was notified that a "sickout" would occur on January 8, due to the fact that the employees were upset about being sent home on January 6 and 7. The Field Superintendent informed his Area Foremen that before sick leave would be granted "proof of illness would be required."

On January 8, fourteen employees called in sick and were requested to provide proof of illness. All but two employees provided proof. On a normal workday, two to three employees call in sick at the headquarters. All employees who were off sick were allowed sick leave.

112.8 Employer req'd to provide pro of illness aft rumor of "sick out"



IBEW

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

Discussion:

Union argued that it was inappropriate to ask for proof of illness in this case and the Company had no proof a sickout occurred. Various Review Committee Decisions states when it is appropriate to ask for "proof of illness."

Company argued that the agreement allows for the asking of "proof of illness" when abuse is suspected as in this case and there was no violation of the Agreement.

Review Committee Decisions 1205 and 1256 state the following:

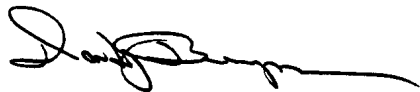
"The thrust then of the considerations that supervisors should look to before requiring satisfactory evidence of the employee's illness are those out of the ordinary circumstances which indicate that an employee is abusing his sick leave record as opposed to making proper use of it. This is to say that the right to require satisfactory evidence of illness should be tempered with common sense consideration to separate those instances where the individual's record would legitimately cause concern of abuse from those in which a typical pattern of illness is followed. In short, the Review Committee is of the opinion that satisfactory evidence of illness should be required only in those individual situations in which the good judgment of supervision indicates that there is a likely abuse of the sick leave."

The Committee also reviewed Pre-Review Committee File Nos. 968, 1018, 1029, 1031, 1050 and 1111.

Disposition:

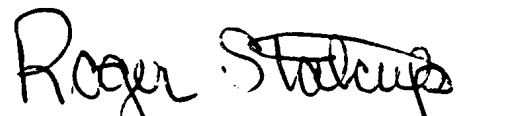
The Committee agreed that after a review of the facts and the Review Committee and Pre-Review Committee decisions, that the request for proof of illness was appropriate.

This case is closed without adjustment.



DAVID J. BERGMAN, Chairman
Review Committee

SARayburn(223-6274):bbs



ROGER W. STALCUP, Secretary
Review Committee

5/7/93