



# REVIEW COMMITTEE

7.1 -Co. refused to accept untimely dischg grievance. Compromise settlmt resulted in closure of case.



## IBEW

PACIFIC GAS AND ELECTRIC COMPANY  
201 MISSION STREET, ROOM 1508  
MAIL CODE P15B  
P.O. BOX 770000  
SAN FRANCISCO, CALIFORNIA 94177  
(415) 973-8510

OCT 27 1994

**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  
(510) 933-6060  
R.W. STALCUP, SECRETARY

RECEIVED OCT 27 1994

RICK R. DOERING, CHAIRMAN

North Bay Grievance No. VAL-92-14  
Pre-Review Committee File No. 1722

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Rich Lang  
Company Member  
Local Investigating Committee

Larry Pierce  
Union Member  
Local Investigating Committee

Grievance Issue:

The refusal of the Company to accept an untimely termination grievance.

Facts of the Case:

The grievant was discharged on October 16, 1992. On October 19 two LIC's were scheduled one for the grievant's DML and one for the discharge, assuming a grievance would be filed with the Company.

On October 27, the DML LIC convened and due to the length of the investigation another date was scheduled for November 5. The Union requested that a number of employees be available as witnesses on November 5, but did not make it clear why.

On November 2, the Business Representative discovered that he had not filed the grievance. On November 5, the Company informed the Union that the grievance was untimely and the LIC on the termination would not be held.

Discussion and Disposition:

Company maintains the position that the grievance was untimely. However, subsequent to the resolution of the grievance a settlement was reached with the grievant releasing the Company of all claims. The settlement included the discharge of the grievant being changed to a resignation. The release does not impact any Worker's Compensation Claims which may be filed or have been filed by the employee during her employment at PG&E.

As a result of "Agreement and Release" this case, as well as all other cases related to the grievant, are considered closed.

John A. Moffat, Chairman  
Review Committee

10/27/94  
Date

Roger W. Stalcup, Secretary  
Review Committee

10/25/94  
Date