

REVIEW COMMITTEE DECISION

R. C. File Number 165

San Francisco Division Grievance No. 78

Subject of Grievance:

The Division filled a Clerk C vacancy in its Electric Meter Shop by selecting for the position a Clerk D in the normal line of progression who had less classification seniority than the senior Clerk D in the Shop, Mrs. Elizabeth L. Francis, the grievant in this case. It was claimed that Mrs. Francis lacked the required qualifications for the Clerk C job, that her work performance during the period of employment in the Electric Meter Shop was substandard and that her record of absenteeism was unsatisfactory in that it showed a consistent Friday-Monday pattern of absence which failed to meet the dependability requirements of the Clerk C job. Evidence of the grievant's work performance was not produced as it was claimed errors were corrected in normal operations. However, copies of a number of meter history cards purporting to show errors made by Mrs. Francis after the grievance was filed were attached to the review record.

In the course of her employment in the Electric Meter Shop, Mrs. Francis performed vacation relief work in the Clerk C classification on three occasions over a period of three years. Her supervisor said that he expressed dissatisfaction with her vacation relief work after each of such assignments, but according to the Local Investigating Committee report Mrs. Francis denied that the supervisor or anyone else had ever complained about her work.

The Union's position with respect to the grievance is that the statements made by the supervisor regarding the grievant's work performance were not supported by evidence, therefore the employee should be placed in the Clerk C classification.

Statement and Decision:

The record of this case, as submitted to the Review Committee, consisted primarily of arguments presented by the Division and by the Union in support of their respective contentions, along with a joint report of the Local Investigating Committee whose members were unable to reach an agreement. Because many of the points at issue were vague or conflicting it was believed a fair decision could not be rendered by reference to the review record, therefore the members of this Committee conducted a hearing in San Francisco Division. Among those in attendance at the hearing were the supervisor in charge of the Electric Meter Shop and the grievant who was by-passed when the job award was made. They were the principal witnesses. The supervisor reiterated statements contained in the record to the effect that in his opinion Mrs. Francis did not have the qualifications for the Clerk C classification and he specifically referred to the three occasions during which vacation relief work had been performed by her. He related that he had counseled with the grievant and had pointed out to her discrepancies in her work. He stated that because of these discussions she was aware that her work was not

satisfactory and that in his opinion she had made no effort to improve. Mrs. Francis on the other hand categorically denied that her supervisor had on any occasion talked to her about the vacation relief work. She claimed she had been broken in for such work by the former Clerk C who held the job over a number of years and that, in fact, such Clerk had complimented her on the manner in which the work had been performed during the vacation periods. As to errors made in her course of employment in the Meter Shop, the grievant admitted that she made some errors but opined that she believed her work compared favorably with that performed by other Clerks in the shop. Regarding her absenteeism, she said that absences were due to a chronic physical condition which, at times, became aggravated because of her frustration in being unable to obtain a promotion or transfer to other work.

As may be indicated from the brief account of the differences in opinion and statements as recorded above, the proper solution to this grievance is a difficult one to determine. This Committee believes there is some justification for the supervisor's criticisms of the employee's work, although it seems that closer supervision might have improved her weak points. As an example, local supervision did not discuss the employee's sick leave record with her, nevertheless it was used as one of the reasons for disqualifying her for the Clerk C job.

After thoroughly reviewing the record and considering the conflicting and inconclusive evidence available it appears that no clear cut decision can be rendered in this case. However, for the purpose of settling this grievance this Committee is agreed as follows:

Mrs. Francis is to be appointed to the Clerk C classification commencing at the starting wage rate and with the full knowledge that her ability to properly perform the duties of the classification is a matter which is in dispute. Her performance on the job should be reviewed with her at periodic intervals and factual data regarding her qualifications, attitude and work habits recorded and called to her attention, including matters that tend to result in the success or failure on the job. Within three months, a definite determination should be made with respect to her qualifications, ability and status, based on the record of her work performance in the Clerk C classification. If she qualifies for the classification she will then be given a 2½% wage increase, following which at the end of another 3 months her progress shall be reviewed, thus conforming to the provisions of Section 13.8 of the Agreement.

FOR UNION

Robert D. Bevers  
Kenneth Stevenson  
L. L. Mitchell

By L. L. Mitchell

Date March 6, 1958

FOR COMPANY

E. F. Sibley  
C. L. Yager  
V. J. Thompson

By [Signature]

Date March 3, 1958