

REVIEW COMMITTEE DECISION

Review Committee File No. 288
Central Customer Accounts Department Grievance No. 14

Subject of Grievance

The grievance was filed by the employee in the Auditing Department after he had been denied permission to inspect his personnel file. He was told he could not see his personnel file but if he desired, he would be furnished information concerning his status as an employee of the Company.

The Union contended that Section 21.8 of the Clerical Agreement gives a clerical employee the right to obtain any information which may have an effect upon his ability to be promoted and that he would have a right to inspect his personnel file. The Department, on the other hand, contended that this Section of the Clerical Agreement refers only to information concerning the employee's status as an employee of the Company.

Statement and Decision

The question in this case arose as a result of the employee's belief that work performance records prepared by his supervisor had been instrumental in his being denied a promotion. He had filed a protest of the Company's award and it is in cases of this kind, that the Company's action, as well as any pertinent facts relating to the bypass of an employee for promotion, or bearing on his demotion or discipline, is subject to review through the investigating committee procedures under the provisions of Title 9 of the Clerical Agreement.

It is the opinion of the Review Committee that information relating to the reasons why the employee was not promoted could have been ascertained by the Investigating Committee action, which was not deemed necessary in this case.

The decision of the Review Committee is that this employee did not have a basis for a grievance under Section 21.8 of the Clerical Agreement. A personnel file is a Company record which may often contain information unrelated to the employee's job status, and although an employee has a right to review the basis for his disqualification by the Company, this does not grant a blanket right to review his personnel file.

FOR UNION:

Kenneth Stevenson
W. M. Fleming
L. L. Mitchell

By

L. L. Mitchell

Date

Sept 13, 1961

FOR COMPANY:

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

By

V. J. Thompson

Date

August 31, 1961

NEYHART & GRODIN
ATTORNEYS AT LAW

STANLEY H. NEYHART
JOSEPH R. GRODIN
RICHARD R. HEATH
DAVID B. GOLD
LEON ARDZROONI

RUSS BUILDING
SAN FRANCISCO 4
YUKON 6-4060

HARRY POLLAND
ECONOMIC COUNSEL

September 12th, 1961

RECEIVED
SEP 13 1961
LOCAL 1245

Pacific Gas and Electric Company
245 Market Street
San Francisco, California

Attention Bruce P. Sadler, Esq.

Re: Grievance of John B. Osborne

Dear Mr. Sadler:

In accordance with our prior agreement I am forwarding you at this time the original letter signed by Mr. Osborne and Mr. Mitchell as representative for Local 1245 in which Mr. Osborne states that in view of the Commission's issuing an order in accordance with our stipulation, which was done on September 7, 1961, the parties may conclude that the grievance which Mr. Osborne had with the Pacific Gas and Electric Company involving a claim for reimbursement for lost time between February 5th and April 4th has been satisfactorily settled.

Yours very truly,

Richard R. Heath

RRH:irs

RTW	
LLM	
AMH	
REA	
REIS	
MEK	
R/S	
FILE	

C O P Y