

REVIEW COMMITTEE DECISION

Review Committee File No. 568
San Jose Division Grievance No. 8-64-7

Statement of Fact

In this grievance the employee concerned claims a right to preferential consideration under the provisions of Section 205.10 to an appointment to a Fitter's job in Santa Cruz. The vacant position was posted in the March 1, 1964 Employment Bulletin and was awarded to another bidder under the provisions of Subsection 205.7(b). Subsequently, the grievant received an appointment to a Fitter's job in Cupertino.

Inasmuch as the grievant had not entered the Military Service while an employee of the San Jose Division, it is contended that he is not entitled to preferential consideration under the provisions of Section 205.10 to the job in question.

Discussion

At the time this grievance arose, the Company and Union were in the process of resolving certain questions which have arisen in regard to the application of Section 205.10. The Labor Agreement Interpretation which resulted from these discussions became effective November 1, 1964. If a situation like that presented in this grievance were to arise after November 1, 1964, the veteran would have received preferential consideration over the bid of the otherwise successful bidder.

Decision

Considering the foregoing, and as a matter of equity with respect to the accrual of classification seniority, this grievance will be settled by adjusting the grievant's Fitter classification seniority to commence on the date of the job award which is the basis of this grievance.

FOR UNION:

R. W. Fields
W. M. Fleming
L. L. Mitchell

By

Date

L. L. Mitchell
Jan 13, 1965

FOR COMPANY:

E. F. Sibley
C. L. Yager
L. V. Brown

By

Date

L. V. Brown
January 11, 1965