

**COPY**

INDUSTRIAL RELATIONS  
741.5

102.8

Review Committee File No. 1310  
Sacramento Division Grievance No. D.Gr/C 6-73-7  
Discharge of Helper, G. R. Winston

November 21, 1973

MR. C. F. POTEET, Company Member  
Sacramento Division  
Local Investigating Committee

The Review Committee has discussed the above-subject case and is returning it to your Committee for disposition in accordance with the following:

The first grievance involves the termination of the grievant because he did not meet the Company's standards for attaining regular status "because of his questionable moral character and trustworthiness" after the Division learned of his arrest and conviction of a felony.

The issue, then, before the Review Committee is whether the Division's judgment as to the grievant's moral character and action thereon is a proper subject for adjustment under the grievance procedures. That issue falls precisely under the rule established in Arbitration Cases 15 and 15A that the Union has a limited right to process a grievance relating to the discharge or involuntary termination of a probationary employee if such discharge is based upon violation of a Company rule, practice, or policy "which would reflect on the character of the employee." The policy here being that probationary employees convicted of a felony are of an unfit character to remain in the employment of the Company. Obviously, termination for that reason could seriously impair the grievant's reputation and ability to procure employment elsewhere. Thus limited, the first grievance is subject to the grievance procedures established in Title 102.

**L. V. BROWN**

L. V. BROWN, Chairman  
Review Committee

LVB:mt

cc: SEHowatt  
IWBonbright  
JAFairchild  
HJStefanetti  
RHTaylor  
LNFoss, IBEW ✓