

PG and E

FOR INTRA - COMPANY USES

DIVISION OR
DEPARTMENT
FILE No.
RE LETTER OF
SUBJECT

INDUSTRIAL RELATIONS
741.5

Review Committee File No. 1311-73-95
Humboldt Division Grievance No. LIC 19-71-3
Sick Leave Reimbursement

209.7

May 20, 1975

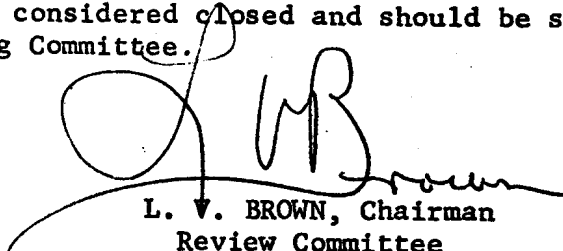
MR. W. J. EDDY, Company Member
Humboldt Division
Local Investigating Committee

MR. E. F. BUCHANAN, Union Member
Humboldt Division
Local Investigating Committee

The above-subject grievance has been discussed by the Review Committee and is being returned to the Local Investigating Committee for settlement in accordance with the following:

After a thorough review of the Joint Statement of Facts and the additional information as outlined in your letter of February 21, 1975, the Review Committee is of the opinion that the grievant was medically and physically able to return to work on October 4, 1971 and for that reason the correction asked for is denied.

This case is considered closed and should be so noted by the Local Investigating Committee.



L. V. BROWN, Chairman
Review Committee

DJBergman:rto

- c :: GFClifton, Jr.
- IWBonbright
- JAFairchild
- PMatthew
- EHWinsor, PGT
- Personnel Managers
- LNFoss, IBEW

Review file

PG&E

FOR INTRA - COMPANY USES

INDUSTRIAL RELATIONS

MAR 12 1975

DIVISION OR DEPARTMENT HUMBOLDT - PERSONNEL
 FILE NO. 741.5
 RE LETTER OF May 23, 1974
 SUBJECT Review Committee File No. 1311
 Humboldt Division L.I.C. 19-71-3
 Sick Leave Reimbursement

IWB	LVB	PNL
KHA	MMC	RTO
DJB	PMH	RLS

February 21, 1975

MR. L. V. BROWN, CHAIRMAN
 REVIEW COMMITTEE

As requested in the above subject letter, the Humboldt Division Local Investigating Committee met with Dr. Elmer Cornell of Hawkins Bar, California, on February 11, 1975, and obtained the data necessary to resolve the case at hand. Numerous scheduling delays and postponements have been experienced with this visitation, including temporary reluctance by the grievant to provide a medical release. However, the Review Committee should be assured that the grievant has been advised of the scheduling delays on an on-going basis and understands the problem.

As cited in your letter, the unresolved issue before the Review Committee is whether or not the grievant was physically able to return to work on October 4, 1971. The record was contradictory in this regard and two written medical releases dated October 22 and November 1, 1971, appeared to be in conflict. These specific issues were addressed with Dr. Cornell and the following information was obtained directly from his released medical files:

1. Dr. Cornell first became aware of grievant Mr. McNeese on August 13, 1971, when he (McNeese) visited him for treatment of fractured ribs which resulted from a swimming accident. Several subsequent visits took place.
2. On September 24, 1971, Dr. Cornell saw grievant and told him that he could return to work on Monday, October 4, 1971. Dr. Cornell prepared a release (Case Exhibit V) stating that he could return to work one week from the 27th which was Monday, October 4, 1971.
3. On September 29, 1971, Dr. Cornell again saw grievant. He advised grievant that his X-rays showed that his bones "had formed good, big calluses" and that he could return to work on October 4, 1971, with no problems. (Dr. Cornell told the 1975

L.I.C. that McNeese was medically/physically able to return to work on October 4, 1971, and that he tried to persuade grievant to return on that date.)

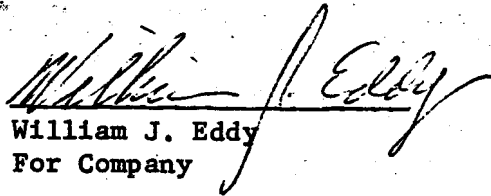
Dr. Cornell prepared another release on September 29, 1971, (Case Exhibit VI) to substantiate the above advice to grievant. His release said, "one more week", which to him meant the following Monday, October 4, 1971. He believed that his release of September 24, and his verbal advice to grievant on September 29, regarding the October 4 return to work date, adequately pinpointed the date.


During grievant's visit of September 29, Dr. Cornell recalled him (grievant) saying that he had some vacation coming and may use it, rather than return to work on October 4, 1971. Dr. Cornell believed that this was grievant's personal business and did not pursue it.

4. The medical release prepared by Dr. Cornell on October 22, 1971, (Case Exhibit VIII) stated that grievant "may return to work on October 26, 1971." Dr. Cornell stated that he prepared this release at grievant's request for the sole purpose of providing him with a form to take to Company so he would be allowed to return to Company property and go back to work as of October 26, 1971. Dr. Cornell believed that this was the end of grievant's vacation period, and that grievant needed this because Company required it.
5. By November 1, 1971, grievant had not returned to work, according to the record. On this date, grievant again visited Dr. Cornell to obtain a medical release to return to work. On the release (Case Exhibit IX) dated November 1, 1971, the doctor stated "the above was released to work October 4, 1971". Dr. Cornell told the 1975 L.I.C. that he wrote this date because, in fact, it was the date he originally released and urged grievant to return to work. Dr. Cornell's written records supported this release date, and Cornell believed that said release would adequately provide a clearance vehicle for grievant to use to get back to work on November 2.

Should you have any further questions regarding this recent investigation, please contact us.

HUMBOLDT DIVISION L.I.C.


William J. Eddy
For Company


William F. Tomlinson
For Union

WJE:sa

cc: RAtkins