



FOR INTRA - COMPANY USES

DIVISION OR DEPARTMENT INDUSTRIAL RELATIONS
FILE NO. 741.5
RE LETTER OF
SUBJECT Review Committee File No. 1355
San Joaquin Division Grievance No. D.Gr/C 25-73-13
Denial of Overtime Pay to Lineman, L. M. Bieger

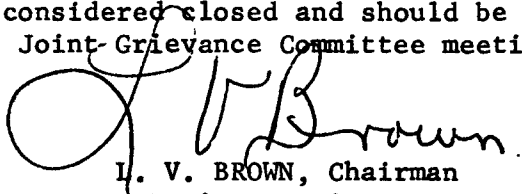
July 2, 1974

MR. A. O. CLARK, Chairman
San Joaquin Division
Joint Grievance Committee

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

The area of disagreement appears to be whether the grievant was readily available to respond to the call-out in question. The answer to this question and ultimately the grievance can be found in the Joint Statement of Facts No. 2, Statement #4C where the grievant testified that "He would not be willing to report to work until he had time to make a sandwich or something because of a previous ulcer problem," and in the Joint Statement of Facts No. 1, Statement #4 and the Report of the Division Joint Grievance Committee Subcommittee Statement #5, where the supervisor testified that "Mr. Bieger said he would eat first and then come down to work", to which the supervisor replied "We have customers out of service so we can't wait. I'll call someone else."

In view of these statements, the Review Committee is of the opinion that grievant was not readily available to respond, and the bypass was proper. This case is considered closed and should be so noted in the minutes of your next Joint Grievance Committee meeting.



I. V. BROWN, Chairman
Review Committee

DJBergman:pmh

- cc: EEFoley
- IWBonbright
- JAFairchild
- PMatthew
- EHWinsor, PGT
- Personnel Managers
- LNfoss, IBEW