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**OCT 15 1974**  
**L.U. 1245 LB.E.W.**

DIVISION OR DEPARTMENT **INDUSTRIAL RELATIONS**  
FILE NO. **741.5**  
RE LETTER OF  
SUBJECT **Review Committee File No. 1361-  
San Joaquin Division Grievance No. LIC 25-74-6  
Letter of Reprimand for Outside Employment**

October 10, 1974

MR. R. J. STEELE, Company Member  
San Joaquin Division  
Local Investigating Committee

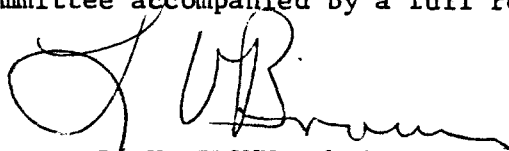
MR. R. VAN DYKE, Union Member  
San Joaquin Division  
Local Investigating Committee

The above-subject grievance has been discussed by the Review Committee and is being returned to the Division for further information and clarification.

The Joint Statement of Facts does not indicate whether the grievant requested light duty after his knee surgery or, if so, that it was refused, as mentioned in the Union's position. This should be ascertained by the Local Investigating Committee. If so, the Local Investigating Committee should contact the grievant's doctor to determine if he had released or recommended the grievant for light duty at the time and attempt to evaluate the grievant's physical condition at the time he was on sick leave. Further, it should be determined if the doctor recommended exercise for his knee in order to speed his recovery and a medical opinion from the doctor as to whether the grievant could have re-injured himself or slowed his recovery due to his activities of April 6 through April 10, 1974.

If it can be determined that the grievant was able to perform light duty and his activities of April 6 were not injurious to his recovery, then the claim of sick leave abuse cannot be supported.

As to the primary reason for the letter of reprimand, as outlined in Paragraph 17 of the Joint Statement of Facts, the Review Committee agrees that under the facts presented, this position is not relevant to the issue at hand, does not merit further consideration, and is considered deleted from the record. However, the grievant should be made aware of Company's Standard Practice 712-7 relative to outside employment and realize that he must adhere to the conditions set forth in that policy if he is to continue his off the job activities as an electrical contractor. After the investigation is completed, the Local Investigating Committee should again attempt to mutually resolve the grievance. If it cannot, the case should be returned to the Review Committee accompanied by a full report of your joint findings.



L. V. BROWN, Chairman  
Review Committee

DJBergman:rto

- cc: EEFoley
- IWBonbright
- JAFairchild
- PMatthew
- DSSolberg
- LNFoss, IBEW