

**REVIEW COMMITTEE****PG and E****IBEW** 

PACIFIC GAS AND ELECTRIC COMPANY  
245 MARKET STREET, ROOM 444  
SAN FRANCISCO, CALIFORNIA 94106  
(415) 781-4211, EXTENSION 1125

**CASE CLOSED**  
**LOGGED AND FILED**

APR 23 1987

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL-CIO  
LOCAL UNION 1245, I.B.E.W.  
P.O. BOX 4790  
WALNUT CREEK, CALIFORNIA 94596  
(415) 933-6060  
R.W. STALCUP, SECRETARY

D.J. BERGMAN, CHAIRMAN

RECEIVED APR 17 1987

- DECISION  
 LETTER DECISION  
 PRE-REVIEW REFERRAL

Stockton Division Grievance No. 16-397-85-15  
P-RC 1100

April 17, 1987

R. MIKE EDWARDS, Company Member  
Stockton Division  
Local Investigating Committee

ROBERT GIBBS, Union Member  
Stockton Division  
Local Investigating Committee

The above-subject grievance has been discussed by the Pre-Review Committee prior to its docketing on the agenda of the Review Committee and is being returned, pursuant to Step Five A(ii) of the grievance procedure, to the Local Investigating Committee for settlement in accordance with the following:

Subject of the Grievance

This case concerns the issue of Company's alleged obligation pursuant to Subsection 112.10(b) to provide modified jobs or permanent light duty to industrially injured employees.

Facts of the Case

The grievant, a Materialsman, suffered an industrial back injury on July 14, 1977. On March 26, 1984, the grievant's condition was found to be permanent and stationary, and he was precluded from the Materialsman classification. The grievant did perform light duty Materialsman work until March 11, 1985 when he was placed back on the Compensation Payroll.

Discussion

It was the Union's position that light duty should continue to be made available to the grievant within his lifting restriction. Union stated that Subsection 112.10(b) of the Physical Agreement provides for such application to any classification.

The Company contended that Subsection 112.10(b) was negotiated by the parties to apply to journeymen and higher classifications.

In its discussion of the case, the Committee reviewed the transcript from Arbitration Case No. 71 which concerned the propriety of the demotion of a Lineman following a permanent preclusion from climbing. The transcript contains testimony on the bargaining history of Subsection 112.10(b) and clearly specifies that the Subsection was negotiated for journeymen and above classifications only. The Committee further noted that when employees other than journeymen and higher are precluded from performing all of their duties due

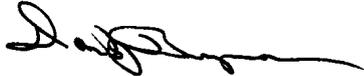
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to industrial disability, Company is obligated to rehabilitate that employee either within or outside the Company.

Decision

The Committee agreed that the grievant is not entitled to light duty as a Materialsman as Subsection 112.10(b) does not apply to the grievant's classification.

This case is considered closed without adjustment and should be so noted by the Local Investigating Committee.



DAVID J. BERGMAN, Chairman  
Review Committee



ROGER W. STALCUP, Secretary  
Review Committee

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