



EMPLOYEE AND LABOR RELATIONS GROUP  
Washington, DC 20260

FEB 3 1977

Mr. Alfred K. May  
Assistant Secretary-Treasurer  
National Association of Letter  
Carriers, AFL-CIO  
100 Indiana Avenue, N.W.  
Washington, D. C. 20001

Re: James Whitfield  
Dayton, Ohio  
NC-C-3978/5-COL-604

Dear Mr. May:

On January 14, 1977, we met with you to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The matters presented by you as well as the applicable contractual provisions have been reviewed and given careful consideration.

The evidence presented in this case clearly establishes that the grievant was summoned by the court to testify in his official capacity as a letter carrier. In such circumstances, he is in an official duty status and entitled to his regular compensation without regard to any entitlement to court leave. In this regard, the grievant was inappropriately required to use annual leave. To this extent, we find the grievance is sustained.

By copy of this letter, the Postmaster is instructed to restore the annual leave for the date in question to the employee's annual leave balance and to carry him in a duty status for that date.

Sincerely,

William E. Henry, Jr.  
Labor Relations Department