



EMPLOYEE AND LABOR RELATIONS GROUP
Washington, DC 20260

APR 16 1973

Mr. Ronald L. Hughes
Assistant Secretary-Treasurer
National Association of Letter Carriers,
AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001

Re: NALC - Branch
Little Rock, AR
NC-S-11585/N5MS-19221

Dear Mr. Hughes:

On September 12, 1978, we met with the NALC representative to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

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

At issue in this grievance is whether the grievant may properly file a tort claim for damage to his vehicle while it was parked on U. S. Postal Service property, even though, a claim had been previously submitted and denied in accord with the provisions of Article XXVII of the National Agreement. We find no provision which would prohibit the grievant from filing such a claim in the circumstances considered. Accordingly, the Postmaster is instructed to process the claim submitted by the grievant if it was properly presented as provided by U. S. Postal Service instructions. It is specifically noted that the merit of such a claim may not properly be considered within the grievance-arbitration procedure and any adverse ruling by the appropriate official authorized to rule on such claims must be appealed through the tort claim procedures. Accordingly, we consider the issues to be resolved and the case closed.

Sincerely,

Karl A. Wise
Labor Relations Department

ARTICLE XXVII DOES NOT PROVIDE FOR REIMBURSEMENT FOR DAMAGES TO MOTOR VEHICLES. A TORT CLAIM MUST BE FILED.

NOTE: SEE M-19 FOR TORT CLAIMS PROCEDURES