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Mr. Halline Overby  
Assistant Secretary-Treasurer  
National Association of Letter  
Carriers, AFL-CIO  
100 Indiana Avenue, N.W.  
Washington, D.C. 20001-2197

MAY 17 1985

Re: Branch  
Portland, OR 97208  
HIN-5D-C 26954

Dear Mr. Overby:

On February 5, 1985, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether management improperly denied an employee's request for union representation during an investigatory interview.

After further review of this matter, we mutually agreed that no national interpretive issue is fairly presented in this case.

The parties at this level agree that under the Weingarten rule, the Employer must provide a union representative to the employee during the course of its investigatory meeting where the employee requests such representation and the employee has a reasonable belief that discussions during the meeting might lead to discipline (against the employee himself.)

Whether or not an employee reasonably believes that discipline will result from the investigatory interview is a factual dispute and is suitable for regional determination. Accordingly, we agreed to remand this case to Step 3 for further consideration by the parties.


Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to remand this case.


Mr. Halline Overby

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Time limits were extended by mutual consent.

Sincerely,

  
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Leslie Bayliss  
Labor Relations Department

  
\_\_\_\_\_  
Halline Overby  
Assistant Secretary-Treasurer  
National Association of Letter  
Carriers, AFL-CIO