

FEB 22 1983

Mr. William Burrus
Executive Vice President
American Postal Workers
Union, AFL-CIO
817 14th Street, N.W.
Washington, D.C. 20005-3399

Re: M. Biller
Washington, D.C.
E1C-MA-C-52

Dear Mr. Burrus:

On February 17, 1983, we met to discuss the above-captioned national level grievance in accordance with the procedures set forth in Article 15, Section 3(d), of the 1981 National Agreement.

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

The dispute raised in this grievance concerns the meaning of the language contained in Article 15, Section 4.B(7), which provides in pertinent part:

"(7) Normally, there will be no transcripts of arbitration hearings or filing of post-hearing briefs in cases heard in Regular Regional level arbitration, except either party at the National level may request a transcript, and either party at the hearing may request to file a post-hearing brief."

Mr. William Burrus

2

The union interprets this language as prohibiting the U.S. Postal Service from demanding transcripts in all cases heard before Arbitrator Gerald Cohen and that the exception referred to requires the party who desires a transcript to make such request of the other party.

It is the position of the Postal Service that the language in dispute reserves to each party individually the right to have a regular regional arbitration hearing recorded and transcribed when the need arises, without seeking the concurrence of the other party; and that this same right is reserved for the submission of posthearing briefs on the same basis. This position anticipates that appropriate reasonable notice be given the other party in each such instance.

It is our determination that this position is consistent with the spirit and intent of the language in question.

Sincerely,

(signed) W. E. Henry, Jr.

William E. Henry, Jr.
Director
Office of Grievance and
Arbitration
Labor Relations Department

cc: Mr. Conners--NALC