

1975 NATIONAL AGREEMENT
ARTICLE VIII, SECTION 5.C.2.
NATIONAL ASSOCIATION OF LETTER CARRIERS

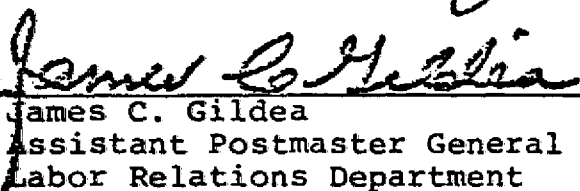
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The United States Postal Service and the National Association of Letter Carriers, AFL-CIO, agree to the following principles to be used in the application of Article VIII, Section 5.C.2.

1. When recourse to the overtime desired list is necessary, if an administrative error is made by the Employer and an individual not on the list is used in lieu of an individual on the list, four hours pay at the applicable straight time rate will be paid to the grievant, provided eight hours work was involved.
2. Administrative errors, for the purposes of these guidelines, are characterized by good faith on both sides. An example would be a situation in which a supervisor, with some reason, "assumed" an individual was on the overtime desired list when in fact he was not.
3. When recourse to the overtime desired list is necessary, and for an impermissible reason the Employer utilizes a carrier not on the list in lieu of one on the list, eight hours at applicable straight time rates will be paid to the grievant, provided eight hours work was involved.
4. Impermissible reasons, for the purposes of these guidelines, are characterized by a fundamental misunderstanding of the National Agreement, by repeated improper behavior, or by outright abuse. An example would be passing over a carrier who had never served a particular route before on the ground that he was not qualified or that someone not on the list was better qualified; or passing over someone because he had filed grievances in the past.
5. In certain cases several grievants may share the award, and in other cases the parties may determine to award other than the grievant, for example to the carrier on the list with the fewest hours for the quarter.

6. When a carrier not on the list is contacted to work overtime, he must at that time remind his supervisor that he is not on the list. Failure to do so in extreme cases may be used as the basis for denial of a grievance, or in other cases as mitigation, perhaps resulting in a finding of administrative error. Likewise, failure of the Employer to observe a carrier's warning may be considered an impermissible reason.
7. Cases in which the particular fact circumstances do not fit the criteria of paragraphs 1 or 3 may be adjudicated at up to eight hours, at applicable straight time rates, depending on the extenuating conditions.
8. When a question arises as to proper administration of the overtime desired list at the local level, an NALC steward may have access to appropriate overtime records in an effort to prevent problems from developing.

In witness whereof, the parties hereto affix their signatures
this 12th day of July 1976.


James C. Gildea
Assistant Postmaster General
Labor Relations Department


James H. Rademacher, President
National Association of Letter
Carriers, AFL-CIO