



M 00595

UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260

APR 10 1980

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

Re: Crispin Lopez
Chino, CA
N8-W-0278/W8N5GC8636

Dear Mr. Hughes:

On April 7, 1980, we met on the above-captioned case at the fourth step of the contractual grievance procedure set forth in the 1978 National Agreement.

In the instant case, the grievant opted for Route 1004 during the two week absence of the regular carrier. When the regular carrier returned, he was scheduled for a higher level assignment for an additional week. Management determined that this third week would not be made available for opting purposes under Article 41, Section 2B3 and 4, but would be utilized for the training and performance evaluation of a probationary employee. The question then, is whether the third week was properly excluded from the opting procedures outlined in Article 41, Section 2B3 and 4.

In the circumstances described, it is our position that the third week should have been made available for opting purposes under the provisions of Article XLI, Section 2B3 and 4 purposes. To this extent the grievance is sustained. There are, however, no provisions for granting the financial relief requested.

Sincerely,

Viki D. Maddox
Viki D. Maddox
Labor Relations Department