



M-00606

EMPLOYEE AND LABOR RELATIONS GROUP
Washington, DC 20260

August 29, 1975

Mr. Alfred K. May
Assistant Secretary-Treasurer
National Association of
Letter Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001

Re: R. G. Conger
Orange City, FL
NB-S-5391(N-121)3-SR-3163

Dear Mr. May:


On August 21, 1975, we met with you to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

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

It is and has been the policy of the U. S. Postal Service that when a steward makes a specific problem known to management and requests permission to conduct an investigation in order to determine whether to file a grievance, a reasonable amount of time for this purpose shall not be unreasonably denied. This investigation may include a review of relevant documents as well as interviewing a potential grievant, supervisors, and witnesses. However, this policy is not intended as a vehicle for stewards to engage in fishing expeditions. In this regard, if a steward has personal knowledge that a problem exists, he should identify this to the supervisor along with any relevant information he desires and witnesses he wishes to interview. Simply telling a supervisor that he wishes to talk with an employee to see if he has a grievance is not considered sufficient grounds on which to grant time to investigate a grievance.

By copy of this letter, the Postmaster is instructed to comport with existing U. S. Postal Service policies regarding investigation of complaints by stewards.

Sincerely,


William E. Henry Jr.
Labor Relations Department

UNITED STATES POSTAL SERVICE
HEADQUARTERS, SOUTHERN REGION
Memphis, TN 38166

OUR REF: 220:RM:bw


DATE: June 13, 1975
(City)SUBJECT: Step 3 Grievance Decision - Ronald G. Conger, Orange, FL
Provision Allegedly Violated - 17TO: • Mr. John P. Hayes
Regional Representative
National Association of Letter
Carriers, AFL-CIOSouthern Region Grievance
Appeal No. 3SR 3163
Dated 5/20/75

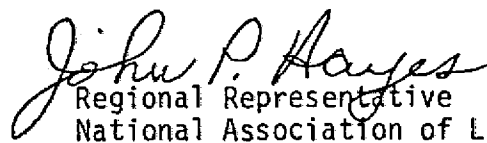
This is to confirm the disposition of the subject Step 3 grievance appeal which was recently discussed.

Based on information presented and contained in the grievance file, the grievance appeal is denied. There is no apparent violation of the National Agreement. No grievance has been submitted by any employee to any supervisor.

The time limit for processing at Step 3 was extended by mutual consent.

Please indicate your agreement that the above was the disposition of this case by signing in the space provided below and return one copy to us showing whether an appeal will be made to Step 4.


Roland McPhail
Labor Relations Division


John P. Hayes
Regional Representative
National Association of Letter
Carriers

cc: Postmaster, Orange City, FL 32765
District Manager, Tampa, FL
ATTN: Asst. District Manager for Employee
and Labor Relations

M-00606

ORANGE CITY POST OFFICE
ORANGE CITY, FLORIDA 32763

SUBJECT: Step 2-A Grievance Decision

5-15-75

FROM: Postmaster
Orange City, FL 32763

TO: R. G. Conger
Shop Steward
Local 5191, NALC
Orange City, FL 32763

Dear Mr. Conger;

The step 2-A grievance filed by you on 4-30-75, number 75-19, concerning payment for preparation of grievances, is hereby denied. The step 2-A meeting on this grievance was mutually extended until 5-13-75, and due to the length of that meeting it was completed on this date.

Sincerely,



H. E. Sever
Postmaster

Cc: File

April 30, 1975

Grievance Appeal to Step 2A

To: Mr. H. Sever

Postmaster

Orange City, Fla.

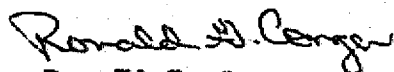
Grievant: R.G. Conger

Violation: Art. XVII Sect. 3

Nature of Grievance: Postmaster refuses to allow shop steward any time to investigate a grievance before it is filed at step one. Postmaster says that "as far as he is concerned there is no grievance until it is filed at step one."

At the Step one hearing the immediate supervisor stated that the Postmaster would allow time to investigate grievance that have been brought to the attention of the shop steward. When the steward requests time to investigate a grievance, he will provide the general nature of the grievance to the supervisor who will then designate an area for the meeting and allow a reasonable amount of time for the discussion. There was no mention as to the reimbursement of the steward for the time he had to use off the clock to prepare the two grievances that were filed on April 16, 1975.

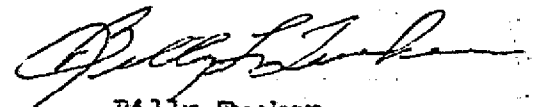
It is therefore grieved: 1) That management is in violation of Art. XVII by forcing the steward to work off the clock in order to perform his duties as steward. 2) That the steward should be reimbursed for the hour he worked off the clock in order to prepare the grievances that were filed on April 16, 1975.



Ronald G. Conger

Grievant

Orange City, Fla. 32763



Billy Tucker

President Branch 5191

Orange City, Fla. 32763

May 13, 1975 - 2A Hearing 3:45 P.M.

Mr. Severs said "that he didn't force the shop steward to prepare the two grievances that were filed on April 16th off the clock. That there was no need to file these grievances at that time. The date of one violation was April 12, 1975. I told him that was the date the route adjustments went into effect. That I received my 1838's on April 5, 1975 the day I returned to work from Annual leave.

Mr. Severs said at the time the steward requested time to investigate a number of grievances. He was under the impression that the steward wanted time to find out if anyone had any grievances.

I told him that wasn't the case at all. That the time was needed to get with the grievant and determine whether or not there was a violation and prepare step one.

The Postmaster told me he felt that I worked off the clock on these two grievances on my own accord and not because management wouldn't allow me the time I needed.

I told him it was out of necessity that I worked on my own on these two grievances. Because he had told me the day before on April the 15th, as far as he was concerned, there was no grievance until it was filed at step one. Therefore I went ahead and prepared these grievances on my own time. That I wasn't going to wait until the last minute to prepare a grievance that had to be filed. That he gave his decision at that time and therefore I had no other alternative except to prepare the grievance on my own time.

R.G. Conger

R.G. Conger
Shop Steward

Orange City, Fla. 32763