



M-00609

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

August 27, 1980

Mr. Joseph H. Johnson, Jr.
Director, City Delivery
National Association of Letter Carriers,
AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001

Re: D. Heath
Norwalk, CA
N8-W-0343/W8N5BC9396

Dear Mr. Johnson:

On June 27, 1980, we met on the above-captioned case at the fourth step of the contractual grievance procedure set forth in the 1978 National Agreement.

Section 271 of the M-39 Handbook as modified by the Memorandum of Understanding with the NALC dated July 21, 1978, states "If over any six (6) consecutive week period, where work performance is otherwise satisfactory, a route shows over 30 minutes of overtime or auxiliary assistance on each of three (3) days or more in each week during this period, the regular carrier assigned to such route shall, upon request, receive a special mail count and inspection to be completed within four (4) weeks of the request".

In the instant case, the grievant, who is the regular carrier of the route in question, requested a special count and inspection of his route because the provisions of Section 271 of the M-39 had been met. His request was refused because he only served on his route eight (8) days out of the thirty-eight (38) day period.

The Union contends that the provisions of the M-39, Section 271 refers to the route and not the regular carrier assigned to the route and that the grievant's request should be honored even though he was not serving his route during the entire period in question. This position is consistent with that of the Postal Service.

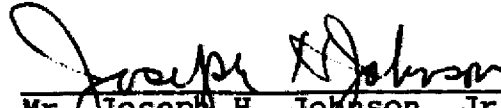
Accordingly, in full settlement of this case the grievant's request for a special inspection of his route will be granted within four weeks of receipt of this decision.

Please sign a copy of this letter as your acceptance of the agreed to settlement.

Sincerely,

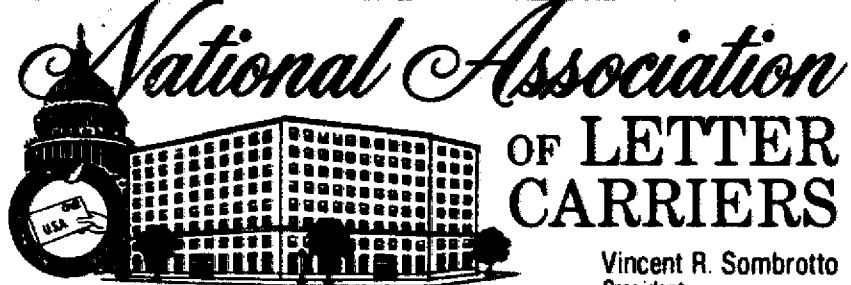


Viki D. Maddox
Labor Relations Department



Mr. Joseph H. Johnson, Jr.
Director, City Delivery
National Association of Letter
Carriers, AFL-CIO

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Director of Retired Members
BOARD OF TRUSTEES
Halline Overby
George Davis, Jr.
James G. Souza, Jr.

100 Indiana Avenue, N.W., Washington, D.C. 20001
Telephone: (202) 393-4695

TO:

Brian Farris
National Business Agent, NALC
363 So. Main Avenue, #106
Orange, CA 92668

DATE: **August 28, 1980**

CASE: **D. Heath**
Norwalk, CA
N8-W-0343/W8N-5BC-9396

TRANSMITTAL OF STEP 4 DECISION

ATTACHED IS STEP 4 DECISION LETTER WHEREIN THE GRIEVANCE WAS

SUSTAINED DENIED RESOLVED CLOSED REMANDED

THE REASONS FOR THIS ACTION ARE CITED IN THE DECISION LETTER.

- PLEASE BE ADVISED THAT MY NALC REPRESENTATIVE AT STEP 4 HAS RECOMMENDED THAT ARBITRATION OF THIS GRIEVANCE WOULD BE APPROPRIATE. ATTACHED HERETO IS A COPY OF THE REQUEST FOR ARBITRATION.
- PLEASE BE ADVISED THAT MY NALC REPRESENTATIVE AT STEP 4 HAS RECOMMENDED THAT ARBITRATION OF THIS GRIEVANCE WOULD NOT BE APPROPRIATE FOR THE REASONS STATED BELOW.

WITH BEST WISHES, I AM,

SINCERELY AND FRATEERNALLY,

Vincent R. Sombrotto
VINCENT R. SOMBROTTO
PRESIDENT

ATTACHMENT(S)
CC: NATIONAL BUSINESS AGENT

