

UNITED STATES POSTAL SERVICE

Washington, DC 20260

M-00615

CUR REF:

DATE: October 10, 1975

SUBJECT: 1975 National Agreement Article VIII, Section 4, Para B -
Overtime Obligation for Work Outside of Schedule

RECEIVED

TO:

ALL REGIONAL DIRECTORS
Employee and Labor Relations

GCT 10 1975

DIRECTOR, OFFICE OF LABOR RELATIONS
GENERAL DESIGN

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Reference my memorandum of August 14, 1975, concerning the above subject.

A recent arbitration award interpreted the last sentence of Article VIII, Section 4B of the National Agreement. Pursuant thereto the following principles should be applied in determining the overtime obligations under this provision of the Agreement. (NOTE - These principles do not apply to bargaining unit employees who are not eligible for overtime for work outside of schedule, e.g., Rural Carriers, part-time employees and RPO employees).

1. Except under certain circumstances discussed herein, full-time employees are entitled to the payment of overtime for work performed outside of, and instead of, their regular schedule on a temporary basis even though such employees have volunteered for such temporary schedule changes. Except for details to certain positions enumerated in number 3 below, this general principle extends to temporary details of full-time bargaining unit employees both to vacancies within the bargaining unit and to vacancies in positions outside the bargaining unit (this includes, therefore, details to acting supervisor). The obligation under this general principle does not affect the normal obligation to pay overtime for hours over 8 or over 40 as provided for in the first sentence of Article VIII, Section 4B.
2. The general principle set forth in number one above does not apply when a temporary schedule change is made to accommodate a full-time employee's

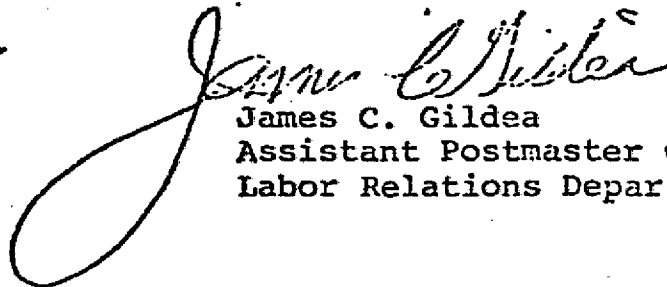
request for such change for his own personal convenience and the request is condoned and agreed to by the collective bargaining agent. This envisions mutual swap situations and situations when an employee requests that his schedule be changed on a particular day or days so that he may attend to personal matters. Accordingly, if management grants a request of this nature, in order to be relieved of the obligation to pay overtime for work outside of schedule, a statement must be received from the employee which conforms with the attached sample memorandum. The employee should be advised that such statement must be signed by him and the certified Union steward in his particular work location and submitted prior to making the requested temporary schedule change.

3. Existing recognized exceptions to the obligation to pay overtime to full-time employees for work performed outside of schedule are not altered. Such exceptions include the following:

- A. Where the employee's schedule is temporarily changed for details to:
 - 1. Postmaster positions (this includes the position of Officer-in-Charge)
 - 2. Rural carrier positions
 - 3. Positions at level PES 19 and above
 - 4. Road Duty employee positions, as defined in former 39 USC (RPO positions)
- B. Where the employee's schedule is temporarily changed because he was given a light duty assignment pursuant to Article XIII or as required by the Federal Employee Compensation Act, as amended.
- C. Where the employee's schedule is temporarily changed to allow the employee to make up time missed due to tardiness in reporting for duty.

- D. Where an employee's schedule is temporarily changed, but such change was in accord with and permitted by the terms of his bid (relief and pool assignment, see Postal Bulletin of March 6, 1975).
- E. Where the employee's schedule is temporarily changed so that the employee may attend recognized training sessions. Such training sessions must be planned, prepared, and coordinated programs, courses, etc... This training exception applies to situations where the training is required by regulations such as the M-52 requirement for remedial training.

The principles set forth herein should be applied prospectively and to settle pending active grievances which have met the procedural requirements of Article XV.



James C. Gildea
Assistant Postmaster General
Labor Relations Department

SAMPLE MEMORANDUM

TO : (Name and title of person or office to whom
employee submits the request)

SUBJECT : Request for Temporary Schedule Change for
Personal Convenience

For my own personal convenience, I (Name) hereby
submit this written request for a temporary change in my
regular schedule.

My present regular schedule is: _____

The schedule change which I am requesting is: _____

I understand that should this request be granted, I will not
be entitled to the payment of overtime for hours worked
outside of and instead of my regular schedule.

Employee's signature

Date

I hereby condone and agree to the above request.

Steward's signature

Date