

# National Association of Letter Carriers

100 Indiana Ave., N.W.  
Washington, D.C. 20001

## Memorandum

Telephone:  
(202) 393-4695

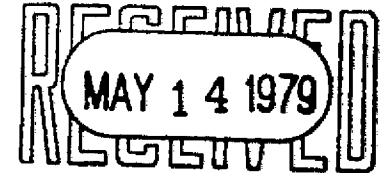
May 9, 1979

From the Desk of RONALD L. HUGHES

M 00702

To: ALL NATIONAL OFFICERS AND STAFF

Subject: COFFEE BREAK GRIEVANCE AND STEP IV DECISION



Dear Colleagues:

Attached is a partial file relevant to a grievance filed in Tulsa, Oklahoma on the issue of the Union's entitlement to maintain past coffee breaks exceeding the negotiated twenty (20) minutes of non-productive breaks.

The case was successfully pursued because we were able to demonstrate that the twenty-five (25) minutes break time had been taken by carriers in the past and that both Management and the Union were well aware of this fact.

Documentation in similar cases can be provided from past route adjustments, sustained grievances, and local memorandums which clearly demonstrate that these breaks were honored by management in the past.

THESE PAST BREAKS DO NOT NEED TO BE NEGOTIATED INTO THE LOCAL MEMORANDUMS OF UNDERSTANDING AS IS BEING ALLEGED BY SOME MANAGERS.

Fraternally yours,

Ronald L. Hughes  
ASSISTANT SECRETARY TREASURER

RLH/dw  
opeiu #2

ATTACHMENT



M 00702

EMPLOYEE AND LABOR RELATIONS GROUP  
Washington, DC 20260

MAY 3 1979

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

Re: W. Kanada  
Tulsa, OK  
NC-S-18037/S8N3TC679

Dear Mr. Hughes:

On May 3, 1979, 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.

By copy of this letter, local management is instructed to reinstitute the policy of March 10, 1975 which is the subject of this grievance. Therefore, this grievance is considered sustained.

Sincerely,

*Daniel A. Kahn*

Daniel A. Kahn  
Labor Relations Department



# National Association of Letter Carriers (AFL-CIO)

## NBA'S GRIEVANCE CASE COMMENTS

ATTACH TO GRIEVANCE CASE SUMMARY (GRIEV-3)

M 00702

DATE: March 7, 1979

TO: NATIONAL OFFICER

Mr. Ronald L. Hughes, Assistant  
Secretary-Treasurer, NALC  
100 Indiana Ave., N.W.  
Washington, D.C. 20001

FROM NATIONAL BUSINESS AGENT

Mr. Calvin Burchfiel, NBA  
928 North York, Suite 10  
Muskogee, Oklahoma 74401

REGIONAL GRIEVANCE NO	BRANCH	CITY	STATE
SBN-3T-C-679	1358	Tulsa,	OK

COMMENTS:

On December 15, 1978 Branch 1358 received a letter dated December 13, 1978 from Donald F. Hargy, SC Director, Employee and Labor Relations, stating that the coffee break policy of 10 minutes in the office in the morning and 15 minutes in the afternoon on street time would be rendered obsolete beginning with the 1979 route examinations. This policy to be replaced with the negotiated policy of two 10 minute breaks.

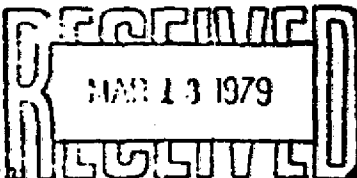
MANAGEMENT'S POSITION AT STEP 3:

Management contends that National Policy is that only in those instances where the parties have included more than 20 minutes in a Local Memo; do they get to continue with more than 20 minutes.

ARBITRATION RECOMMENDATION:  EXPEDITED  REGULAR  NATIONAL LEVEL  NO

STATE REASONS:

The Tulsa policy of a 10 minute office break and a 15 minute street break was established in March, 1975 through negotiations between Mr. Don Stephens, President, Branch 1358 and Mr. D.G. Metevélis, SC Director, Employee and Labor Relations. This policy was not unilaterally established by Management. The new break policy established during 1978 negotiations provides that "in those installations where longer break periods were provided by past Local Negotiation, the longer break periods will be used." Under this agreement, Tulsa should continue the policy of 25 minutes of breaks.



## UNITED STATES POST OFFICE

TULSA, OKLAHOMA 74101

IN REPLY REFER TO  
220:TCO:jh

December 13, 1978

M 00702

Mr. Don Stephens  
President, Branch 1358, NALC  
124 South Denver  
Tulsa, OK 74103

Dear Mr. Stephens:

On March 10, 1975, D. G. Metevelis, the SC Director for Employee and Labor Relations at that time, issued a policy on "coffee breaks" that applied to all letter carriers at this post office. This policy allowed one 10-minute "coffee break" during morning office time and one 15-minute "coffee break" on street time to be taken a reasonable period after lunch. This policy resulted from consultive meetings between you and Mr. Metevelis.

This letter is to advise you that the coffee break policy established in that letter has been rendered obsolete by recent changes and revisions of Methods Handbook M-39 which states letter carriers will receive two 10-minute breaks. Beginning with the FY 1979 route examinations, the coffee break policy established by our March 10, 1975, letter will be replaced by the agreements reached through negotiations at the national level.

As you know, existing negotiated breaks which are longer than those established by the M-39 are to remain in effect. However, the policy established by the letter of March 10, 1975, is a unilateral management policy and not a negotiated break and does not appear in our local memorandum of understanding. Therefore, there is no basis to continue our old policy in view of the negotiated agreements.

*Donald F. Hargy*  
DONALD F. HARGY  
Sectional Center Director  
Employee and Labor Relations

UNITED STATES POST OFFICE  
TULSA, OK 74101

M 00702

CORRESP: 200:DCM:RWB:js

DATE: March 10, 1975

SUBJECT: "Coffee Breaks"

P.O.C.

TO: Sectional Center Director/Customer Services  
U. S. Post Office  
Tulsa, OK 74101

The following policy on "coffee breaks" applies to the Letter Carrier Craft at the Tulsa Post Office:

Letter Carriers will have one ten-minute "coffee break" during morning office time period. The ten-minute break time will be an office time allowance on Form 1838 during route inspections.

One fifteen-minute "coffee break" is permitted on street time, which cannot be taken until a reasonable period has elapsed after lunch break as listed on Form 1564A in route book.

"Coffee breaks" are strictly prohibited in the morning away from the office or in conjunction with a lunch break.

Deviations are permitted only by written authority of the supervisor.

This policy results from consultations with Branch 1453 NALC.

*D. G. Metevelis*  
D. G. METEVELIS  
Sectional Center Director,  
Employee and Labor Relations

cc: Carrier Stations  
Main Office Carrier Section  
Mgr, Del & Col  
Mgr, Sta & Branches

7. Vehicle loading time, if applicable is no longer an office function, but now becomes a part of the street time.
8. The carriers will receive two ten minute break periods on the street, unless at the option of the local union, the delivery unit chooses to receive one of the ten minute break periods in the office and the other on the street. The office break will be scheduled by management. In those installations where longer break periods were provided by past local negotiation, the longer break periods will be used.
9. No adjustments will be made to the office or street time because of volume unless the mail volume for the week of count is 13% higher or lower than the average volume for the period between the most recent regular and current inspection. Where office time is involved the adjustments would be limited to letters, flats and strap out time.
10. Two base street times must be derived for evaluation purposes. They are:
  - a. Average for week of count and inspection.
  - b. Average from the eight week time card analysis (1840-B).The base time selected can be adjusted providing the reasons are documented on Form 1840.
11. Selection of a random period of eight weeks to be used for time card analysis includes union participation. This