



UNITED STATES POSTAL SERVICE

Labor Relations Department
475 L'Enfant Plaza, SW
Washington, DC 20260-4100

Mr. Halline Overby
Assistant Secretary-Treasurer
National Association of
Letter Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, D.C. 20001-2197

SEP 04 1987

Re: Branch
Simi Valley, CA 93065
H4N-5T-C 33892

Branch
Simi Valley, CA 93065
H4N-5T-C 33776

Dear Mr. Overby:

On June 25, 1987, we met to discuss the above-captioned grievances at the fourth step of our contractual grievance procedure.

The issue in these grievances is whether management violated the National Agreement when it created a new form by combining three already existing forms into one.
(3996-1813-1571)

After reviewing this matter, we mutually agreed that no national interpretive issue is fairly presented in these cases. The parties at the regional level are to apply part 324.12, of the ASM to the particular circumstances.

Accordingly, we agreed to remand these cases to the parties at Step 3 for further processing, including arbitration if necessary.

Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to remand these cases.

Time limits were extended by mutual consent.

Sincerely,

Richard E. Beyer
Richard E. Beyer
Grievance & Arbitration
Division

Halline Overby
Halline Overby
Assistant Secretary-Treasurer
National Association of
Letter Carriers, AFL-CIO



National Association of Letter Carriers (AFL-CIO)

APPEAL TO STEP 4

DATE: 10/29/86

TO: SENIOR ASSISTANT POSTMASTER GENERAL
EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE
WASHINGTON, D.C. 20260

FROM: NATIONAL BUSINESS AGENT
Brian Farris
NBA-NALC
1128 W. Chapman
Orange, CA 92668

CARRIER	REGIONAL NO.	GRIEVANT (OR CLASS)	POST OFFICE
"J"	W4N-5T-C-33892	Class	Simi Valley, CA

DEAR SIR: SINCE NALC USPS BELIEVE(S) THIS CASE INVOLVES AN INTERPRETIVE ISSUE UNDER THE NATIONAL AGREEMENT (OR SOME SUPPLEMENT THERETO OF GENERAL APPLICATION), I AM APPEALING THE ABOVE-CAPTIONED CASE TO STEP 4 OF THE GRIEVANCE PROCEDURE, PURSUANT TO ARTICLE XV, SECTION 2, OF THE NATIONAL AGREEMENT.

DATE STEP 3 DENIAL RECEIVED: 10/20/86

STEP 3 DECISION RENDERED BY: Carson Moore

VIOLATION INCLUDING BUT NOT LIMITED TO: 19

CORRECTIVE ACTION REQUESTED:that Management cease and desist using or issuing this form to the carriers. Also, that the proper forms be used in accordance with the M-41 Handbook. Further, that all such 3996-1813-1571 forms issued and used be removed from all files and records, and the proper forms substituted with the proper information.

DESIGNATED NALC REPRESENTATIVE AT STEP 4: Joseph Johnson
Dir. of City Delivery, NALC
100 Indiana Avenue N.W.
Washington, D.C. 20001

RECEIVED

NOV 3 1986

JOSEPH JOHNSON'S OFFICE
DIRECTOR, CITY DELIVERY

SINCERELY YOURS,

NATIONAL BUSINESS AGENT

CC: REGIONAL DIRECTOR FOR ELR
NATIONAL OFFICER, NALC
BRANCH PRESIDENT, NALC

NATIONAL OFFICE COPY





National Association of Letter Carriers (AFL-CIO)

NBA'S GRIEVANCE CASE COMMENTS

ATTACH TO GRIEVANCE CASE SUMMARY (GRIEV-3)

DATE: 10/29/86

TO: NATIONAL OFFICER

Joseph Johnson
Dir. of City Delivery, NALC
100 Indiana Avenue N.W.
Washington, D.C. 20001

FROM: NATIONAL BUSINESS AGENT

Brian Farris
NBA-NALC
1124 W. Chapman
Orange, CA 92668

REGIONAL GRIEVANCE NO.	BRANCH	CITY	STATE
W4N-5T-C-33892	2902	Simi Valley	CA

COMMENTS:

Management has no right to amend or alter the M-41 Handbook. They are attempting to combine the 3996 and the 1571 into their own form.

MANAGEMENT'S POSITION AT STEP 3:

ARBITRATION RECOMMENDATION: EXPEDITED REGULAR NATIONAL LEVEL NO

STATE REASONS:

ATTACH TO GRIEVANCE CASE SUMMARY (GRIEV-3)





D/4

UNITED STATES POSTAL SERVICE
Western Regional Office
San Bruno, CA 94099-0001

Mr. Brian Farris, NALC
National Business Agent
1124 West Chapman Avenue
Orange, California 92668-2829

OCT 19 1986

Simi Valley, CA 93065
Branch
W4N-5T-C 33776
W4N-5T-C 33892 ✓

Dear Mr. Farris:

This will confirm the Step 3 hearing between your designee Tom Young and myself concerning the above grievance on October 7, 1986.

The information required is on the revised form. Therefore, there is no contractual violation in management implementing the use of this revised form.

Based upon the above, this case is denied.

In our judgment, the grievance does not involve an interpretive issue pertaining to the National Agreement nor any supplement thereto which may be of general application. Unless the Union believes otherwise, the case may be appealed directly to regional arbitration in accordance with the provisions of Article 15 of the National Agreement.

Sincerely,

David H. Englich, Regional
Labor Relations Executive

cc: PMDM:OF:FICR
cc: Tom Young

130 207



National Association of Letter Carriers (AFL-CIO)

GRIEVANCE APPEAL TO **3**

DATE: **Sept. 17, 1986**

TO: REGIONAL DIRECTOR, EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE
**850 Cherry Ave.
San Bruno, Calif. 94099**

FROM: **BRANCH PRESIDENT**
Jon Gaunce
Branch #2902 NALC
7238 Canby Ave.
Reseda, Calif. 91335

BRANCH GR.#	GRIEVANT'S NAME	GRIEVANT'S S.S. #	JOB CLASSIFICATION	STATION
6TV60CSIM	Class Action	N/A	Craft	Simi Valley

PURSUANT TO ARTICLE XV, SECTION 2 OF THE NATIONAL AGREEMENT, WE HEREBY APPEAL TO STEP 3 THE DECISION AT STEP 2 OF THE POSTMASTER OR DESIGNEE **RR Jacobson, Designee** OF THE **Simi Valley** INSTALLATION, RENDERED ON **Sept. 2, 1986** AND RECEIVED ON **Sept. 3, 1986**

ATTACHMENTS (CHECK):



STANDARD GRIEVANCE FORM



STEP 2 DECISION



UNION CORRECTIONS OR ADDITIONS TO STEP 2 DECISION (IF FILED)

THE FOLLOWING INFORMATION WILL HOPEFULLY ASSIST THE PARTIES IN QUICKLY RESOLVING THIS PROBLEM. TO DISCUSS THIS GRIEVANCE FURTHER, KINDLY CONTACT OUR NATIONAL BUSINESS AGENT **Brian Farris** AT (ADDRESS) **1124 W. Chapman Ave. Orange, Calif. 92668** OR BY PHONE **997-8480**

VIOLATION: INCLUDING BUT NOT LIMITED TO NATIONAL (ART. & SECT.) **Art. 19 Art. 5** LOCAL (ART. & SECT.)
OTHER GROUNDS: **M-41 Sections 280, 451, and 452**

REASONS FOR APPEAL: **Grievance was denied at Step 2. It is the Union's contention that Management has violated Section 280 of the M-41 Handbook and Article 5 of the National Agreement in issuing the new form 3996-1813-1571 to Letter Carriers. The Union also contends that the new form is in violation of Section 451 and 452 of the M-41 and should be discontinued.**

CORRECTIVE ACTION REQUESTED: **The Union requests that Management cease and desist using or issuing this form to Letter Carriers. The Union requests that the proper and authorized forms be used in accordance with the M-41 Handbook. The Union also requests that all such 3996-1813-1571 forms issued and used be removed from all files and records and the proper forms substituted with the proper information.**

CC: NATIONAL BUSINESS AGENT, NALC
POSTMASTER

GRIEV-4 (REV. 1981)

SEP 18 1986

Jon Gaunce

BRANCH PRESIDENT/DESIGNEE

SIGNATURE



UNITED STATES POST OFFICE

DATE: September 2, 1986
OUR REF: RRJ:goa
SUBJECT: Grievance 6TV 60 CSIM

TO: Mr. Jon Gaunce NALC, Local 2902
7238 Canby Street
Reseda, CA 91335

Certified Mail P 459 406 170
Return Receipt Requested

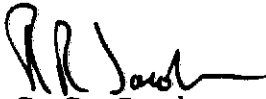
A step two meeting was held on August 26, 1986 on the above-captioned grievance.

This grievance is based upon new forms issued by management which combine 3996, 1813 and 1571. Management has issued instructions to carriers that new form is to be used in place of old form. This new form will eliminate unneeded paperwork, thus saving time for the craft.

It is the union's position that the use of the new form is improper as it is not authorized by M-41 or Article 19 of the National Agreement. The union maintains that management cannot create its own forms for use in local post offices, and requests that management cease use of the form.

It is management's position that Article 19 states, "The employer shall have the right to make changes that are not inconsistent with this Agreement and that are fair. Article 3 gives managers the right to direct employees in the performance of duties and to maintain the efficiency of the operations entrusted to it. By using this form, excessive work will be eliminated, thus improving the efficiency of the operation. No hardship is caused to employees by use of the new form. Note that Steward Henschel informed me that he thought the new forms were a great idea which saved paperwork for carriers.

This grievance is denied.


R. R. Jacobson
Acting S.P.O.



National Association of Letter Carriers (AFL-CIO)

Pursuant to Article XV, Section 2, this form must be used to appeal a grievance to Step 2.

WITHDRAWN	RESERVED
DATE	
NALC INITIALS	USPS INITIALS

STANDARD GRIEVANCE FORM

DATE 19 Aug 86	BRANCH GRIEV. NO. 6TV60CSIM	USPS NO.
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TO: USPS STEP 2 DESIGNEE (NAME & TITLE) R. R. Jacobson, SPO	INSTALLATION Simi Valley, CA	PHONE—OFFICE
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FROM: BRANCH NO. 2902	BUSINESS ADDRESS 7238 Canby Street, Rededa, CA 91335
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STEP 2 AUTHORIZED UNION REP. Jon Gauce	PHONE—OFFICE 818+996-1291	PHONE—OTHER
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STEP 1 MEETING: HELD ON (DATE/TIME) 5 Aug 86	BETWEEN USPS REPRESENTATIVE Sue Kusnowski, Sup	AND GRIEVANT Louis Henschel	STEWARD
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GRIEVANT'S NAME (OR CLASS) Class	PHONE
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HOME ADDRESS	CITY	STATE	ZIP
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JOB CLASSIFICATION Letter Carriers	CRAFT SENIORITY DATE	USPS SENIORITY DATE	DUTY HOURS
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STATION OR BRANCH Simi Valley Post Office	SOCIAL SECURITY NO.	VETERAN <input type="checkbox"/> YES <input type="checkbox"/> NO
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OFF DAYS	SA	SU	M	T	W	TH	F	LEVEL	STEP	REG	IMMEDIATE REG.	RESERVE REG.	PTR	PTF
<input type="checkbox"/> ROTATING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

STEP 1: RENDERED ON (DATE/TIME) 12 Aug 86	BY (NAME & TITLE) Sue Kusnowski, Sup. Del & Col.	SUPERVISOR'S INITIALS (UPON REQUEST)
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PURSUANT TO ARTICLE XV OF THE NATIONAL AGREEMENT, WE HEREBY APPEAL TO STEP 2, THE FOLLOWING GRIEVANCE.
 VIOLATION: INCLUDING BUT NOT LIMITED TO NATIONAL (ART. & SECT.) **19, NA 41.3G** LOCAL (ART. & SECT.)
 OTHER GROUNDS: **Section 280, Methods Handbook M-41**

FACTS: WHAT HAPPENED During the period of 21 July 86 thru 5 Aug 86 carriers requesting a PS Form 3996 were given a Form 3996, 1813-1571. This form does not meet the requirement of Sec 280, M-41 nor the requirement of Sec 3G, Art 41, NA. There has been no change in the USPS publications to show that such a new form is in fact authorized.

ADDITIONAL SHEET ATTACHED

UNION CONTENTIONS: REASONS FOR GRIEVANCE P.S. Form 3996 is used by the letter carrier to request auxillary assistance when the carrier believes that the route cannot be finished in the authorized time. PS Form 1571 list mail that is curtailed or not delivered on the day the mail is made available. Letter carriers may request a copy of either or both Forms 1571 and 3996.. Discontinuance of these forms of the combining of the forms with other documents evade managements responsibility to provide copies to the employee when requested.

ADDITIONAL SHEET ATTACHED

CORRECTIVE ACTION REQUESTED: That the use of a Form that Combines Form 3996 and Form 1571 with other forms be discontinued immediately, and further that the prescribed forms be furnished to letter carriers when required by M-41

BRANCH PRESIDENT/DESIGNEE Bob Kerlin SIGNATURE Bob Kerlin



National Association of Letter Carriers (AFL-CIO)

Pursuant to Article XV, Section 2, this form must be used to appeal a grievance to Step 2.

WITHDRAWN	RESERVED
DATE	
NALC INITIALS	USPS INITIALS

STANDARD GRIEVANCE FORM

DATE 8-5-86		BRANCH GRIEV NO 6TU 60 5100		U.S.P.S NO		
TO: U.S.P.S. STEP 2 DESIGNEE (NAME & TITLE) NEEL HAWEN SOPAN POSTMASRA		INSTALLATION Sims Valley CO		PHONE—OFFICE 526-1331		
FROM: BRANCH NO. 2902		BUSINESS ADDRESS P.O. BOX 12 Sims Valley CO 93062				
STEP 2 AUTHORIZED UNION REP. JON GAUNCE			PHONE—OFFICE		PHONE—OTHER	
STEP 1 MEETING: HELD ON (DATE/TIME) 8-5-86		BETWEEN U.S.P.S REPRESENTATIVE HUBNOWSKI		AND GRIEVANT STEWART HEVICH		
GRIEVANT'S NAME (OR CLASS) CLASS					PHONE	
HOME ADDRESS		CITY		STATE ZIP		
JOB CLASSIFICATION		CRAFT SENIORITY DATE		USPS SENIORITY DATE		
STATION OR BRANCH		SOCIAL SECURITY NO		DUTY HOURS		
OFF DAYS		SA		SU		
ROTATING		M		T		
FIXED—CHECK AS APPLICABLE		W		TH		
		F		LEVEL		
				STEP		
				REG		
				VETERAN		
				YES		
				NO		
STEP 1 DECISION 8-12-86		BY (NAME & TITLE) HUBNOWSKI, SUE JONES			SUPERVISOR'S INITIALS (UPON REQUEST)	

PURSUANT TO ARTICLE XV OF THE NATIONAL AGREEMENT, WE HEREBY APPEAL TO STEP 2 THE FOLLOWING GRIEVANCE.

VIOLATION: INCLUDING BUT NOT LIMITED TO NATIONAL (ART. & SECT.) 19. 41-36 LOCAL (ART. & SECT.) 19 41 Sec 220

OTHER GROUNDS:

FACTS: WHAT HAPPENED ON JULY 21 - AUG 4, AUG 5 A REQUEST BY EMPLOYEES FOR 3996-FORM. THE FORM IS FOR AUXILIARY CONTROL. SAID FORM WAS NOT GIVEN EMPLOYEES - INSTEAD - A UNAUTHORIZED FORM 3996-1813-1571 WAS GIVEN

ADDITIONAL SHEET ATTACHED

UNION CONTENTIONS: REASONS FOR GRIEVANCE GRIEVANCES HAVE BEEN FILED IN THE PAST CONCERNING REQUEST FOR OFFICIAL FORMS AT A STEP 3 HEARING MAY 22-85. IT STATES THAT - MANAGEMENT WILL COMPLY WITH PROVISION OF SECTION 280 OF N. 41

ADDITIONAL SHEET ATTACHED

CORRECTIVE ACTION REQUESTED: THAT - FORM 3996-1813-1571 USE BE STOPPED IMMEDIATELY AND THAT FORM 3996 BE GIVEN TO EMPLOYEES ON REQUEST

BRANCH PRESIDENT/DESIGNEE

SIGNATURE