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March 3, 1982

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

Re: J. Escobar
Phoenix, AZ 85026
H1N-5K-D 154

Dear Mr. Overby:

On February 1, 1982, we met on the above-captioned case at the fourth step of the contractual grievance procedure set forth in the 1981 National Agreement.

The question raised in this grievance involves whether a letter of warning was for just cause, yet was referred to Step 4 as an interpretive issue by the USPS Regional Labor Relations Representative. The matters the Step 3 parties obviously desires interpreted, involves Section 514.22, Employee and Labor Relations Manual and Executive Order 5396.

After further review of this matter, we mutually agreed that no National interpretive issue is fairly presented in the particulars evidenced in this case. Executive Order 5396, signed July 17, 1930 by President Herbert Hoover is clear and unambiguous as to the responsibilities of both the employer and the employee. For the benefit of all concerned, a copy of subject Executive Order is enclosed.

Time limits were extended by mutual consent.

Accordingly, as we further agreed, this case is hereby remanded to the parties at Step 3 for further processing if necessary. Please sign a copy of this letter as your acknowledgment of agreement to remand this case.

Sincerely,

Harvey White

Howard R. Carter
Labor Relations Department

J. Escobar

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