



UNITED STATES POSTAL SERVICE
Labor Relations Department
475 L'Enfant Plaza, SW
Washington, DC 20260-4100

Mr. Lawrence G. Hutchins
Vice President
National Association of
Letter Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, DC 20001-2197

Re: H7N-5L-C 4160
Branch
San Diego, CA 92199

Dear Mr. Hutchins:

Recently, a meeting was held with the NALC Director of City Delivery, Brian Farris, to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether local management has improperly established part-time regular router positions in contravention to the provisions of the Router Memorandum of Understanding.

Item 3, of the September 21, 1988, Router Assignment Instructions states that "Router positions should be maximized to full-time, 8-hour positions to the extent practicable."

As described in this instant matter, the utilization of the part-time routers is inconsistent with the intent of the aforesaid memorandum.

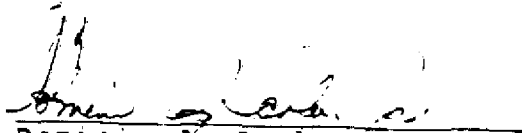
Accordingly, we agreed to remand this case to the parties at Step 3 for further processing (including arbitration if necessary.)

page 2
Lawrence G. Hutchins

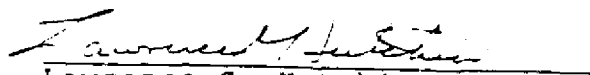
Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to remand this case.

Time limits were extended by mutual consent.

Sincerely,



Dominic J. Scola, Jr.
Grievance & Arbitration
Division



Lawrence G. Hutchins
Vice President
National Association of
Carriers, AFL-CIO

DATE 4/13/59

Enclosure

RECEIVED

CONTRACT ADMINISTRATION
UNIT



National Association of Letter Carriers (AFL-CIO)

M-00916

APPEAL TO STEP 4

2265
RECEIVED

DATE 3/29/88

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

FROM NATIONAL BUSINESS AGENT ^{ADD} 4 1988

William H. Young
NBA-NALC
1124 W. Chapman
Orange, CA 92668

CONTRACT ADMINISTRATION
UNIT

CARRIER	REGIONAL NO	GRIEVANT OR CLASS	POST OFFICE
CAU	W7N-5L-C-4160	CLASS	SAN DIEGO, CA

DEAR SIR SINCE NALC USPS BELIEVES 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 XI, SECTION 2 OF THE NATIONAL AGREEMENT

DATE STEP 3 DENIAL RECEIVED

3/28/88

STEP 3-DECISION RENDERED BY

CARSON MOORE

VIOLATION INCLUDING BUT NOT LIMITED TO

3, 7, 19

CORRECTIVE ACTION REQUESTED

....THAT THE PART-TIME ROUTERS BE ELIMINATED AND THAT FULL-TIME ROUTER POSITIONS BE MADE INSTEAD.

DESIGNATED NALC REPRESENTATIVE AT STEP 4

CONTRACT ADMINISTRATION UNIT
NATIONAL ASSN. OF LETTER CARRIERS
200 INDIANA AVENUE N.W.
WASHINGTON, D.C. 20001

SINCERELY YOURS

NATIONAL BUSINESS AGENT

CC REGIONAL DIRECTOR FOR ELR
NATIONAL OFFICER NALC
BRANCH PRESIDENT NALC

NATIONAL OFFICE COPY





D/4

UNITED STATES POSTAL SERVICE

Western Regional Office
San Bruno, CA 94099-0001

Mr. William Young, NALC
National Business Agent
1124 West Chapman Avenue
Orange CA 92668-2829

MAR 25 1988

San Diego CA 92199-9998
Branch
W7N-5L-C 4160

Dear Mr. Young:

This will confirm the Step 3 hearing between your designee Bill Dock and myself on March 23, 1988, concerning the above grievance.

As discussed, at issue in this case is the union's contention that local management is improperly applying the provisions of the Router Memorandum by allowing part-time employees to function as a Router.

Based upon the documentation of record and in accordance with the provisions of the Router Memorandum under the current National Agreement, the use of part-time employees to perform as Routers is not prohibited.

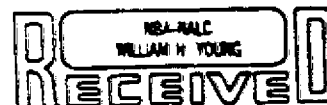
In view of the foregoing, the remedy requested in this case is denied.

In our judgment, the grievance involves an interpretive issue pertaining to the National Agreement or a supplement thereto which may be of general application, and thus may only be appealed to Step 4 in accordance with the provisions of Article 15 of the National Agreement.

Sincerely,

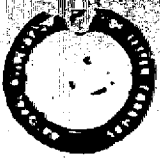
J. Carson Moore
J. Carson Moore, Regional
Labor Relations Executive

cc: PM:DHR:OF:FIC
Bill Dock



311 268

MAR 28 1988



National Association of Letter Carriers (AFL-CIO)

M-00916

10169

GRIEVANCE APPEAL TO **3**

DATE 2-10-88

REGIONAL DIRECTOR EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE

FROM BRANCH PRESIDENT

Western Region
San Bruno, Ca 94099

Terry Anderson
NALC Br 70
P.O. Box 4947
San Diego, CA 92104

BRANCH GR #	GRIEVANT'S NAME	GRIEVANT'S SS #	JOB CLASSIFICATION	STATION
340-87-C	NALC Branch 70			Spring 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 Bruce Lane OF THE San Diego, CA INSTALLATION RENDERED ON 1-27-88 AND RECEIVED ON 2-9-88

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 William Young

AT ADDRESS 1124 W. Chaparral OR BY PHONE Orange, Ca 92668

VIOLATION INCLUDING BUT NOT LIMITED TO NATIONAL PART 5 SECT 3, 7, 19 LOCAL PART 5 SECT _____
OTHER GROUNDS _____

REASONS FOR APPEAL: See management's step 2 denial letter.

CORRECTIVE ACTION REQUESTED: Eliminate the two new PIRs and make fulltime positions.



cc NATIONAL BUSINESS AGENT NALC
POSTMASTER

FEB 16 1988

For Terry Anderson
BRANCH PRESIDENT

By Stephen O. Anderson
SIGNATURE

UNITED STATES POST OFFICE

DATE January 27, 1988

OUR REF

SUBJECT Step Two Grievance Meeting

TO Terry Anderson, President
NALC Branch 70

On January 26, 1988, a step two grievance meeting was held at the Spring Valley, CA post office. Present were Terry Anderson representing the NALC and myself, representing management. The following grievances were heard:

Grievance 19-88-C Grievant: NALC
Both carriers phoned in sick after the holiday schedule was posted. The ELM 434.533c states that replacement employees are not eligible for holiday scheduling premium. This grievance is denied by management.

Grievance/375-87-C Grievant: Ira Schissler *TS*
This discipline is progressive and intended to be corrective, not punitive. The employee has a past record of unreliable attendance. This grievance is denied by management.

Grievance 374-87-C Grievant: Ira Schisler
The carrier has had discipline for poor performance and attendance deficiencies. He is not a satisfactory employee. This grievance is denied by management.

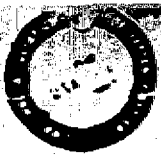
Grievance 373-87-C Grievant: Victor Davis
The carrier has had discipline for poor performance and attendance deficiencies. He is not a satisfactory employee. This grievance is denied by management.

Grievance 376-87-D Grievant: Victor Davis
The discipline issued was progressive. This grievance is denied by management.

Grievance 340-87-C Grievant: NALC
Due to the size of the Spring Valley post office, the mail volume and the window of processing time, this office cannot economically utilize full time routers. This grievance is denied by management.

George Schicker

George Schicker, Postmaster



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.

W. TRAIN	RES. #
M-00916	
NALC INITIALS	USPS INITIALS

STANDARD GRIEVANCE FORM

DATE	BRANCH GRIEV. NO.	USPS NO.
12-23-87	340-87-C	

TO USPS STEP 2 DESIGNEE NAME & TITLE	INSTALLATION	PHONE - OFFICE
George Schicker Postmaster	Spring Valley, Ca 92077	

FROM BRANCH NO.	BUSINESS ADDRESS
70	P.O. Box 4947 San Diego, CA 92104

STEP 2 AUTHORIZED UNION REF.	PHONE - OFFICE	PHONE - OTHER
Terry Anderson/Bill Dock/Ed Kresowaty/S. Famiand	283-5841	

STEP 1 MEETING HELD ON DATE TIME	BETWEEN USPS REPRESENTATIVE	AND GRIEVANT	STEWARD
12-14-87	R. Haley		Lagace

GRIEVANT'S NAME (OR CLASS)	PHONE
NALC Branch 70	

HOME ADDRESS	CITY	STATE	ZIP
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JOB CLASSIFICATION	CRAFT SENIORITY DATE	USPS SENIORITY DATE	DUTY HOURS
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STATION OR BRANCH	SOCIAL SECURITY NO.	VETERAN
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OFF DAYS	FIXED - CHECK AS APPLICABLE	SA	SU	M	TU	W	TH	F	LEVEL	STEP	REG.	MEMBER	MEMBER	PTA	PTA
<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"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STEP 1 DECISION	RENDERED ON DATE TIME	BY NAME & TITLE	SUPERVISOR'S INITIALS UPON REQUEST
	12-15-87	Roger Haley Del Supervisor	

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

VIOLATION INCLUDING BUT NOT LIMITED TO NATIONAL PART 3 SECT 3, 7, 19 LOCAL PART & SECT _____

OTHER GROUNDS _____

FACTS: WHAT HAPPENED See attached sheet

ADDITIONAL SHEET ATTACHED

UNION CONTENTIONS: REASONS FOR GRIEVANCE See attached

ADDITIONAL SHEET ATTACHED

CORRECTIVE ACTION REQUESTED: Eliminate the two new PTRs and make fulltime positions.

BRANCH PRESIDENT/DESIGNEE Terry Anderson SIGNATURE [Signature]

WHAT HAPPENED: Two more part-time regulars were hired in Spring Valley to be used as routers. This brings the total office compliment to:

52 full-time regulars (37 carriers/ 15 clerks)
 9 part-time regulars (7 routers/ 2 clerks)
 17 part-time flexibles (11 carriers/ 6 clerks)

Of 55 employees doing carrier work, 18 are part-time. 33% have no fixed work schedules (this figure includes the part-time regulars, who as a result of a step 3 grievance can be worked whatever hours management chooses; past their regular schedule.

NALC currently has a step 4 pending arbitration on the other 5 part-time regular positions created in March, April and October of 1986. (Seniority list attached) (Exhibit 1) The step 3 denial was December 11, 1987 (T. Anderson/B. Lane). December 14, 1987, Terry Anderson informed me that the two new part-time regular positions would have to be grieved seperately. November 11, 1987 Labor/Management meeting between myself and Postmaster Schicker: Plans to hire two more P.T. Regulars were discussed.

Postmaster Schicker maintains that part-time regulars are not counted in 90/10 ratio. The directive from Joel Trosch, (Regional Director, E&LR: USPS Northeast Headquarters) Exhibit 2. Page 4 - states that for NALC/APWU, part-time regulars are counted as part of the 10% part-time compliment.

Postmaster Schicker understands our position, however says making full-time positions of all this excess carrier work would not be operationally justified.

NALC Business Agent (Bill Young) stated at a contract interpretation class September 26, 1987 that even in offices of less than 20 man years of employment, a previous arbitrators decision was that full-time positions would be made whenever possible.

UNION CONTENTION: Rather than creating part-time regular positions presently available work could be combined to create one or more full-time positions.

Examples: 1 hour 8:30 - 5:00 AMSpecials/Express/Station "A" run routing assignment - X hours. Afternoon Special/Express/Collection Run. Routing assignment street held. We have 4 auxiliary routes. Combine an auxiliary with routing duties. We have a carrier Voma/Weighmaster with excess duties who also fills in and does time cards on Mondays.

We have 5 other part-time regulars - 3 with schedules of continually being forced beyond their schedule of hours. All of them are. (All have excess duties)

The point: There are plenty of excess duties to creat full-time positions.

But at the very least the duties of the two new part-time regulars could be made to one full-time position.

Full Time positions should be made.