



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

Mr. Vincent R. Sombrotto
 President
 National Association of Letter
 Carriers, AFL-CIO
 100 Indiana Avenue, N.W.
 Washington, DC 20001-2197

Re: H1N-2B-C 9069
 Class Action
 Woodbury, NJ 08096

Dear Mr. Sombrotto:

Recently, a meeting was held with the NALC Director of City Delivery, Brian Farris, to discuss the above-captioned grievance which is currently held in abeyance at the National Level.

The issue in this grievance is whether local management is properly posting full time carrier vacancies.

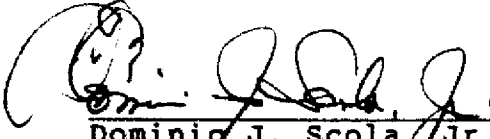
After reviewing this matter, we mutually agreed that no national interpretive issue is fairly presented in this case. We agreed that this issue requires application of local past practices to the facts involved.


Accordingly, we agreed to remand this case 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 this case.

Time limits were extended by mutual consent.

Sincerely,


 Dominig J. Scola, Jr.
 Grievance and Arbitration
 Division


 Vincent R. Sombrotto
 President
 National Association of Letter
 Carriers, AFL-CIO

DATE 5/30/89



National Association of Letter Carriers (AFL-CIO)

APPEAL TO STEP 4

M-00927

DATE: *August 15, 1983*

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

FROM: NATIONAL BUSINESS AGENT
John W. O'Shea
875 Greentree Road
Building 9, Suite 124
Pittsburgh, PA 15220

CARRIER	REGIONAL NO.	GRIEVANT (OR CLASS)	POST OFFICE
"H"	E1N-28-C-9069	CLASS ACTION	WOODBURY, NJ

DEAR SIR:

PURSUANT TO ARTICLE XV, SECTION 2, OF THE NATIONAL AGREEMENT, I AM APPEALING THE ABOVE-CAPTIONED CASE TO STEP 4 OF THE GRIEVANCE PROCEDURE.

DATE STEP 3 DENIAL RECEIVED: *August 11, 1983*

STEP 3 DECISION RENDERED BY: *James M. Gardner*

VIOLATION INCLUDING BUT NOT LIMITED TO: *Article 3 and 41*

CORRECTIVE ACTION REQUESTED: *That full time carrier Route #10 be reposted for bid.*

DESIGNATED NALC REPRESENTATIVE AT STEP 4: *Halline Overby*

RECEIVED

AUG 18 1983

HALLINE OVERBY'S OFFICE
N.A.L.C. WASHINGTON, D.C.

SINCERELY YOURS,

John W. O'Shea
NATIONAL BUSINESS AGENT

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



UNITED STATES POSTAL SERVICE
Eastern Regional Office
Philadelphia, Pennsylvania 19197-0001

August 9, 1983

Mr. John O'Shea
National Business Agent, NALC
875 Greentree Road
Parkway Center West
Building #9 - Suite 124
Pittsburgh, PA 15220-3501

RE: EIN-2B-C 9069
CLASS ACTION
Woodbury, NJ 08096

Dear Mr. O'Shea:


On August 2, 1983, I met with your designee to discuss the above referenced grievance at Step 3 of our contractual grievance procedure. The matters presented by you concerning this grievance, as well as the applicable contractual provisions, have been reviewed and given careful consideration.

In the instant grievance, the union has maintained that management was in violation of the National Agreement when posting for bid a route while the carrier was still working the route; contending that a route cannot be considered vacated until the carrier has actually moved off of her/his assignment.

Since there are no retreat rights allowing carriers to cancel their bid and return to their prior assignment once declared the successful bidder, and since management must place the successful bidder in the new assignment within 15 days except in the month of December, we find no contractual violation occurred when posting for bid an assignment of a route concerning a carrier who had been declared the successful bidder and was waiting to be moved to the new route per Article 41 of the Agreement. Therefore, the grievance 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.

Very truly yours,


Eastern Region
Labor Relations

cc: DM, PM, MSC South Jersey