



M-00948

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: H7N-4J-D 12845  
S Mattison  
Milwaukee, WI 53203

Dear Mr. Sombrotto:

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 management violated the National Agreement when it withdrew the grievant from limited duty and issued a Notice of Proposed Removal, under the facts of this case.

After reviewing this matter, we mutually agreed that no national interpretive issue is fairly presented in this case. We further agreed that separation of the grievant prior to management having received a response to its recommendation, from the Department of Labor, was improper.

Accordingly, we agreed to remand this case to the parties at Step 3 with instructions to quash the Notice of Proposed Removal and grant the grievant a make-whole remedy. Notwithstanding the above, we further agreed that this decision shall not be construed to prevent management from re-issuing a notice of removal effective as of the date of the decision of the Department of Labor with respect to this grievant, or the Union's opportunity to further grieve any such subsequent disciplinary action.

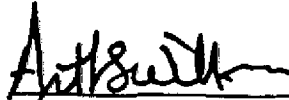
Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to remand this case.


Vincent Sombrotto

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Time limits were extended by mutual consent.

Sincerely,

  
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Arthur S. Wilkinson  
Grievance & Arbitration  
Division

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

DATE 10-6-89