



UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260

APR 29 1985

Mr. Joseph H. Johnson, Jr.
Director, City Delivery
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, D.C. 20001-2197

Re: Class Action
Framingham, MA 01701
H1N-1E-C 31854

Dear Mr. Johnson: *

On November 28, 1984, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The question in this grievance is whether management has improperly required employees to bear the costs of incidental expenses associated with undertaking a fitness-for-duty examination.

During our discussion, it was mutually agreed that the following would represent a full settlement of this case:

In accordance with Section 342 of the P-11 Handbook, an employee returning to duty after an extended absence must submit evidence of his/her being able to perform assigned postal duties. If local policy dictates that the employee must be seen and cleared by the postal medical officer, the employee shall be reimbursed for travel expenses incurred to attend the examination.

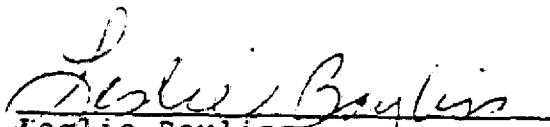
Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to settle this case.

Mr. Joseph H. Johnson, Jr.

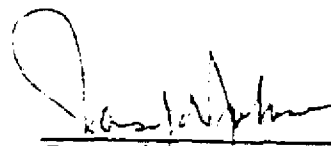
2

Time limits were extended by mutual consent.

Sincerely,



Leslie Bayliss
Labor Relations Department



Joseph H. Johnson, Jr.
Director, City Delivery
National Association of Letter
Carriers, AFL-CIO



National Association of Letter Carriers (AFL-CIO)

APPEAL TO STEP 4

M-00973

DATE: July 18, 1984

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

FROM: NATIONAL BUSINESS AGENT

John J. Marco
111 Everett Avenue
Chelsea, MA 02150

| CARRIER | REGIONAL NO. | GRIEVANT (OR CLASS) | POST OFFICE |
|---------|----------------|---------------------|----------------|
| | NIN-1E-C 31854 | CLASS ACTION | Framingham, MA |

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: July 2, 1984

STEP 3 DECISION RENDERED BY: Edward Segelman

VIOLATION INCLUDING BUT NOT LIMITED TO: Article 8, P-11 Handbook

CORRECTIVE ACTION REQUESTED: Salary payment as provided in Article 8 and mileage tolls; if required to go for exam on non-scheduled day, overtime should be paid; more discretion used regarding who is required to go for fitness for duty examinations.

DESIGNATED NALC REPRESENTATIVE AT STEP 4: Joseph H. Johnson, Jr.

SINCERELY YOURS,

John J. Marco
NATIONAL BUSINESS AGENT

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



United States Postal Service
Northeast Region
P.O. Box 142
Lexington, MA 02173-0142

Office of the
Boston District Manager

N1N-1E-C-31854 (JFI)
CLASS ACTION
Framingham, MA 01701

June 29, 1984

John J. Marco
National Business Agent
National Association of Letter Carriers
111 Everett Avenue
Chelsea, MA 02150-1812

Dear Mr. Marco:

On several occasions the latest being May 29, 1984, we met with Leonard Driscoll to discuss the above captioned grievance at Step 3 of our contractual grievance procedure.

This grievance pertains to the Union's contention that when a carrier is required to report to the Medical Unit in Boston to be cleared for duty after a long term illness or injury, the employee be paid for all time spent in the process of being cleared. The Union requests payment for transportation costs also.

Upon full discussion and consideration of this matter, it is determined that this grievance is partially denied. Transportation costs will be paid by the Postal Service when it is necessary for a carrier to travel from Framingham to Boston for clearance.

The reason for this decision is the grievant has not been declared fit for duty and cannot be put on the postal Service payroll. The disabled employee must be cleared by the postal Service doctor prior to being allowed to clock in.

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

Sincerely,

Edward Segelman
Labor Relations Specialist
Boston District Office

JUL 2 1984



National Association of Letter Carriers (AFL-CIO)

M-00973

GRIEVANCE APPEAL TO **3**

DATE

TO: REGIONAL DIRECTOR, EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE

FROM: BRANCH PRESIDENT

NE Region
B-4 4222
new york ny
10001

Raymond McKeistey
Br. 334 NALC
Framingham mass 01701

| BRANCH GR.# | GRIEVANT'S NAME | GRIEVANT'S S.S.# | JOB CLASSIFICATION | STATION |
|--------------|---------------------|------------------|--------------------|---------|
| <i>9.F.I</i> | <i>Class action</i> | | | |

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 *alfred corea* OF THE *Framingham mass 01701* INSTALLATION, RENDERED ON *4/4/84* AND RECEIVED ON *4/5/84*

THE FOLLOWING INFORMATION WILL HOPEFULLY ASSIST THE PARTIES IN QUICKLY RESOLVING THIS PROBLEM. TO DISCUSS THIS GRIEVANCE FURTHER, KINDLY CONTACT OUR NATIONAL BUSINESS AGENT *John G. Walsh* AT ADDRESS: *114 State St. Boston mass 02109* OR BY PHONE *(617) 523 0870*

VIOLATION: INCLUDING BUT NOT LIMITED TO NATIONAL (ART. & SECT.) *Article 8* LOCAL (ART. & SECT.)

OTHER GROUNDS: *K-11 Handbooks all attachments*

NATURE OF GRIEVANCE: DATE, TIME, & LOCATION:

WHAT HAPPENED: *Carriers are being made to go to medical facility in Boston for examinations on their own time and providing their own transportation also paying tolls etc. - others or sick leave are being required to go at our expense even though some carriers have returned with certificates for their own Drs. stating fitness for duty. Medical are not accepted and they are not allowed to return to work till this is done*

CORRECTIVE ACTION REQUESTED: *delay payment as provided in article 8 national agreement + mileage tolls etc. - if required to go for exam - on non-scheduled day it should be paid - more discretion used on who is required to go for fitness for duty exams.*



cc: NATIONAL BUSINESS AGENT, NALC
POSTMASTER

APR 19 1984

Raymond C. McKeistey
BRANCH PRESIDENT

John G. Walsh
SIGNATURE

UNITED STATES POSTAL SERVICE
FRAMINGHAM, MA 01701

M-00973

April 5, 1984

Mr. Raymond McKinstry
President
NALC
Framingham, MA 01701-9998

Dear Mr. McKinstry:

A Step 2 meeting was held with Steward John Folkes on April 4, 1984, on a class action grievance pertaining to carriers being cleared for duty at the Boston Medical Unit on their own time and supplying their own transportation.


The Union wants employees involved to be on the clock and the Postal Service to provide transportation.

Management's position is as follows:

The P-11 states that any employee who is hospitalized or out for 21 days or more must be cleared by the Medical Unit before reporting for duty. It is the Boston MSC Medical Unit's position that the employee must appear in person to be cleared. They cannot be on the clock until they are cleared, so they must travel into the Medical Unit on their own time.

Therefore, I am denying the grievance at this step.

Sincerely,


Alfred Canesi
Supt., Postal Operations
Framingham, MA 01701-9998



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.

M-00973

| | |
|---------------|---------------|
| WITHDRAWN | RESOLVED |
| DATE | |
| NALC INITIALS | USPS INITIALS |

STANDARD GRIEVANCE FORM

| | | |
|---------|-----------------|---------|
| DATE | BRANCH GRIEV NO | USPS NO |
| 3/29/84 | J.F.I | N-87 |

| | | |
|---|-----------------------|--------------|
| TO: USPS STEP 2 DESIGNEE (NAME & TITLE) | INSTALLATION | PHONE—OFFICE |
| Alfred Carosi | Framington Mass 01701 | |

| | |
|-----------------|-------------------------------------|
| FROM: BRANCH NO | BUSINESS ADDRESS |
| 334 | Postoffice Rd Framington Mass 01701 |

| | | |
|------------------------------|--------------|-------------|
| STEP 2 AUTHORIZED UNION REP | PHONE—OFFICE | PHONE—OTHER |
| John J. Tolles Chief Steward | | 429-5739 |

| | | | |
|---------------------------------------|--------------------------------|---------------|-------|
| STEP 1 MEETING: HELD ON (DATE & TIME) | BETWEEN U.S.P.S REPRESENTATIVE | AND GRIEVANT | STATE |
| 3/23/83 9:00 AM | John J. Tolles | Dennis O'Neil | MA |

| | |
|--|-------|
| GRIEVANT'S NAME (OR CLASS) | PHONE |
| class action grievance, Perry Valley, Wolter, Hamilton | |
| HOME ADDRESS | CITY |
| | |

| | | | |
|--------------------|----------------------|---------------------|------------|
| JOB CLASSIFICATION | CRAFT SENIORITY DATE | USPS SENIORITY DATE | DUTY HOURS |
| | | | |

| | | |
|-----------------------|--------------------|--|
| STATION OR BRANCH | SOCIAL SECURITY NO | VETERAN |
| Framington Mass 01701 | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

| | | | | | | | | | | | | | |
|----------|----|----|---|---|---|----|---|-------|------|-----|------------|---------|-----|
| OFF DAYS | SA | SU | M | T | W | TH | F | LEVEL | STEP | REG | CLASSIFIED | RESERVE | PTR |
| ROTATING | | | | | | | | | | | | | |

| | | | |
|----------|---------------------------|-------------------------------|--------------------------------------|
| DECISION | RENDERED ON (DATE & TIME) | BY (NAME & TITLE) | SUPERVISOR'S INITIALS (UPON REQUEST) |
| 3/26/84 | 4:30 PM | Dennis O'Neil Supt Del + coll | |

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) Article 8 LOCAL (ART. & SECT.)

OTHER GROUNDS: K-11 Handbook (see attachment)

FACTS AND UNION CONTENTIONS: DATE, TIME & LOCATION:

WHAT HAPPENED: Couriers are being made to go to medical facility in Boston for examination on their own time and with own vehicles paying tolls etc, some others on sick leave are made to go at own expense even though most have returned with Dr's certificate from their own Dr's before this demand of them.

CORRECTIVE ACTION REQUESTED: Report as provided for in Article 8 national agreement + mileage, tolls, etc. if required to go on day off D.T. should be paid - more discretion on who is requested to go for fitness for duty exam -

Signature: Raymond McKeen

