



UNITED STATES POSTAL SERVICE
ROOM 9014
475 L'ENFANT PLAZA SW
WASHINGTON DC 20260-4100
TEL (202) 268-3816
FAX (202) 268-1074

M-00986

OFFICE OF THE
ASSISTANT POSTMASTER GENERAL
LABOR RELATIONS DEPARTMENT

RECEIVED

JUL 26 1990

CONTRACT ADMINISTRATION UNIT
MAIL ROOM WASHINGTON DC

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

Re: H4N-3A-C 62482
Class Action
Dallas, TX 75260

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.

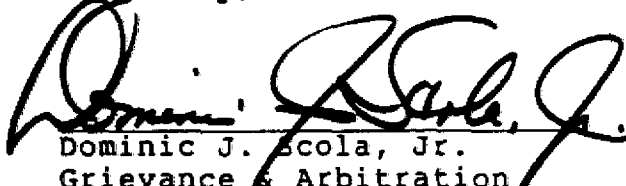
The issue in this grievance is whether the non-posting of T-6 positions in the Restricted Posting process at the Lakewood Station is violative of Articles 12.5.C.4 and 41.3 'O'.

After reviewing this matter, we mutually agreed that no national interpretive issue is fairly presented in this case. We further agreed that the facts of this case do not suggest that the disputed posting was in compliance with the aforesaid sections of Articles 12 and 41.

Accordingly, this grievance is sustained and the case remanded to the Dallas Division with direction to provide the remedy requested in the Step 2 grievance appeal.

Time limits were extended by mutual consent.

Sincerely,


Dominic J. Scola, Jr.
Grievance & Arbitration
Division

DATE

July 26, 1990



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National Association of Letter Carriers (AFL-CIO)

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APPEAL TO STEP 4

M-00986

AUG 29 1989

DATE 8-25-89

CONTRACT ADMINISTRATION UNIT

FROM NATIONAL BUSINESS AGENT, C. WASHINGTON, D.C.

TO: ASSISTANT POSTMASTER GENERAL
LABOR RELATIONS DEPT.
UNITED STATES POSTAL SERVICE
WASHINGTON, D.C. 20260-4100

3027

Joe Z. Romero, NBA
600 E. Las Colinas Blvd. #560
Irving, TX 75039

CARRIER	REGIONAL NO.	GRIEVANT (OR CLASS)	POST OFFICE
	S4N 3A C 62482	Class Action	Dallas, TX

ND 498 87

DEAR SIR: SINCE NALC USPS BELIEVE(S) 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 XV, SECTION 2, OF THE NATIONAL AGREEMENT.

DATE STEP 3 DENIAL RECEIVED: August '89

STEP 3 DECISION RENDERED BY:

VIOLATION INCLUDING BUT NOT LIMITED TO: 15,41

CORRECTIVE ACTION REQUESTED: T'6 positions be included in the Restricted Posting - Bidding procedures be handled in accordance with Local Agreement Item 22.B.

DESIGNATED NALC REPRESENTATIVE AT STEP 4:

Contract Admin. Unit.
Washington, D.C.

SINCERELY YOURS.

Joe Z. Romero
NATIONAL BUSINESS AGENT

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



UNITED STATES POSTAL SERVICE
Southern Regional Office
Memphis TN 38166--0200

October 15, 1987

Mr. Joseph Z. Romero
National Business Agent
National Association of Letter
Carriers, AFL-CIO

Southern Region Grievance
Appeal No. S4N-3A-C 62482
Dated: 09/28/87
Local No. ND-498-87

Subject: Step 3 Grievance Decision: Class Action
Dallas TX
Provision Allegedly Violated: 12-05-03


Dear Mr. Romero:

This is to confirm the disposition of the subject Step 3 grievance appeal which was recently discussed with your representative, Mr. Pete Goodman.

Based on information presented and contained in the grievance file, the grievance is denied. Article 12, Section 5.C.4, specifically restricts the instation bidding to employees within the same salary level. The T-6 positions should not be included since no T-6 positions were abolished.

The time limit for processing at Step 3 was extended by mutual consent.

In our judgment, the grievance does not involve any interpretive issue(s) pertaining to the National Agreement or any supplement thereto which may be of general application. Unless the union believes otherwise, the case may be appealed directly to regional arbitration in accordance with the provisions of Article 15 of the National Agreement.


Allen G. Saul
Labor Relations

**APPEALED TO
ARBITRATION**

10-23-87

cc: Postmaster, Dallas TX 75260-9998
Sectional Center Manager, Dallas TX
2

RECEIVED

OCT 19 1987
JOE Z. ROMERO
NATIONAL BUSINESS AGENT
N. A. L. C.
DALLAS REGION # 10



NATIONAL ASSOCIATION OF Letter Carriers (AFL-CIO)

M-00986

D-2079

DATE: 9-23-87

GRIEVANCE APPEAL TO **3**

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

FROM: BRANCH PRESIDENT

Southern Postal Region
Midtown Towers
Memphis, TN 38166

Jack Walker, President
Lone Star Branch #132
221 W. Centre St.
Dallas, TX 75208

BRANCH GR.#	GRIEVANT'S NAME	GRIEVANT'S S.S.#	JOB CLASSIFICATION	STATION
ND-498/87	Union	N/A	Letter Carriers	Lakewood

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 Mr. Howard Buck, Division Mgr.
OF THE Dallas, TX 75260 INSTALLATION, RENDERED ON 9-16-87 AND RECEIVED ON 9-18-87

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 Joe Z. Romero/NBA

AT (ADDRESS) 600 E. Las Colinas Blvd., #560 OR BY PHONE 869-0711
Irving, TX. 75039

VIOLATION: INCLUDING BUT NOT LIMITED TO NATIONAL (ART. & SECT.) 15-41.30 LOCAL (ART. & SECT.) Item 22 A
OTHER GROUNDS: 8-20-87 Item 22 B

REASONS FOR APPEAL: On 8/20/87, the Union learned that no T-6 positions were included in the Restricted Posting at Lakewood Station and the bidding period is for five (5) days only.

The Union contends this is a violation of the National and Local Agreements as cited.

CORRECTIVE ACTION REQUESTED: T'6 positions be included in the Restricted Posting - Bidding procedures be handled in accordance with Local Agreement Item 22.B.

cc NATIONAL BUSINESS AGENT, NALC
POSTMASTER

Jack Walker, President
BRANCH PRESIDENT/DESIGNEE

SIGNATURE

GRIEV-4 (REV. 1981)

UNITED STATES POST OFFICE

Dallas, Texas 75260

DATE: September 16, 1987

OUR REF: LR:CSchreitmueller:lm:9401

SUBJECT: Grievance No. D-2079-87-N-844-C-573 Class Action - NALC
Violation of Article 15 Union No. ND-498/87

TO: Jack Walker
President, NALC
221 W. Centre
Dallas, Texas 75208-6617

This is in response to your Step 2 appeal form received in the Labor Relations office on September 1, 1987, concerning a grievance filed on behalf of the carriers at 15, 30, and 41 Station. You cite Article(s) 15, 30, and 41 as being violated.

A Step 2 meeting was held with you on September 10, 1987.

FACTS:

On August 20, 1987, the Local President, NALC, was notified that positions at Lakewood Station would be abolished, specifically three (3) parcel post routes, one (1) T-5 position, five (5) RLC positions. Additionally, two (2) RLC positions (vacant) would be reverted. Accordingly, "In station" bids were posted as required by Item #22 of the Local Memorandum of Understanding (1984-87 NALC). The union has grieved the method of posting the "In Station" bids.

UNION CONTENTIONS:

1. The posting was for only five days, August 20-25, 1987, rather than seven (7) days as required. The posting was handled similar to vacation bids, rather than allowing bid cards.
2. The T-6 positions were not included in the bids. The Local Memorandum of Understanding states, "All routes will be posted." Item 41.3(o) of the National Agreement also states "All routes and full-time duty assignments at that unit held by letter carriers who are junior "must be posted."
3. The RLC position for Denise Buell should have been posted and was not included.

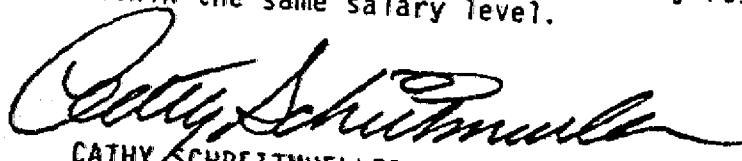
MANAGEMENT CONTENTIONS:

1. The union stated at the Step 2 meeting that the posting was held open additional days to assure all carriers were allowed to bid, including one on vacation. The employees bid in order of seniority. There is no violation.

2. Article 12.5.c.4.b.&c of the National Agreement restricts bidding within the section to employees in the same salary level as the vacancy. The Local Memorandum of Understanding identifies section as required by Article 12.5 C.4 as each carrier unit except Downtown Station by zone and Main Post Office by pay location.
3. Ms. Buell's RLC position was abolished and she is now an excess employee.

REASON FOR DENIAL:

The result of the job restructuring at Lakewood Station left four (4) employees excess to the needs of the delivery unit. Article 12, Section 5.C.4 applies concerning reassignment of employees excess to the needs of a section. This article specifically restricts bidding to employees within the same salary level.



CATHY SCHREITMUELLER
Postmaster's Step 2 Designee
Dallas, Texas 75260

cc: Supervisor, Bill Oliver, Lakewood Station



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-00986

STANDARD GRIEVANCE FORM

DATE 8-31-87		BRANCH GRIEV NO ND-498/87	USPS NO.
TO: USPS STEP 2 DESIGNEE (NAME & TITLE) Mr. Howard Buck, Div. Manager		INSTALLATION Dallas, TX 75260	
FROM: BRANCH NO 132		BUSINESS ADDRESS 221 W. Centre St. Dallas, TX 75208	
STEP 2 AUTHORIZED UNION REP Jack Walker, President		PHONE—OFFICE 942-5322	PHONE—OTHER
STEP 1 MEETING: HELD ON (DATE/TIME) 8-28-87	BETWEEN USPS REPRESENTATIVE Bill Oliver	AND GRIEVANT Union	STEWARD
GRIEVANT'S NAME (OR CLASS) Union			PHONE
HOME ADDRESS		CITY	STATE ZIP
JOB CLASSIFICATION Letter Carriers	CRAFT SENIORITY DATE	USPS SENIORITY DATE	DUTY HOURS
STATION OR BRANCH Lakewood		SOCIAL SECURITY NO.	VETERAN <input type="checkbox"/> YES <input type="checkbox"/> NO
OFF DAYS <input type="checkbox"/> ROTATING	FIXED—CHECK AS APPLICABLE	SA <input type="checkbox"/> SU <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> TH <input type="checkbox"/> F <input type="checkbox"/>	LEVEL STEP REG
STEP 1 DECISION RENDERED ON (DATE/TIME) 8-28-87	BY (NAME & TITLE) Bill Oliver, Supv.		SUPERVISOR'S INITIALS (UPON REQUEST)

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.) 15-41.30 LOCAL (ART & SECT.) Item 22 A

OTHER GROUNDS: Item 22 B
8-20-87

FACTS: WHAT HAPPENED On 8/20/87, the Union learned that no T-6 positions were included in the Restricted Posting at Lakewood Station and the bidding period is for five (5) days only.

ADDITIONAL SHEET ATTACHED

UNION CONTENTIONS: REASONS FOR GRIEVANCE The Union contends this is a violation of the National and Local Agreements as cited.

ADDITIONAL SHEET ATTACHED

CORRECTIVE ACTION REQUESTED: T'6 Positions be included in the Restricted Posting - Bidding procedures be handled in accordance with Local Agreement Item 22.8.

BRANCH PRESIDENT/DESIGNEE Jack Walker, President SIGNATURE Jack Walker