

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

December 16, 1986

Mr. Francis J. Conners
 Vice President
 National Association of
 Letter Carriers, AFL-CIO
 100 Indiana Avenue, N.W.
 Washington, D.C. 20001-2197

Re: Branch
 Beverley Hills, CA
 HLN-5B-C 14665

Dear Mr. Conners:

On December 9, 1986, a prearbitration discussion of the above case was held. The issue in this case is entitlement to compensation for time spent reading material sent by management to employees' residences.

During the discussion, it was agreed that the following would represent full and final settlement of this case:

Each employee in the carrier craft currently assigned to the Beverly Hills, CA, Post Office will be granted pay for twenty minutes at the straight time rate.


This settlement is noncitable, nonprecedential, and is made without prejudice to the position of either party.

Accordingly, this case is remanded to the parties at Step 3 for implementation of this settlement.


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

This replaces the letter dated December 12, 1986.

Sincerely,


 George S. McDougald
 General Manager
 Grievance and Arbitration

Division


 Frank Conners
 Vice President
 National Association of Letter

Carriers, AFL-CIO

12/16/86
 DATE

Tony R. Moritz
Executive Vice President

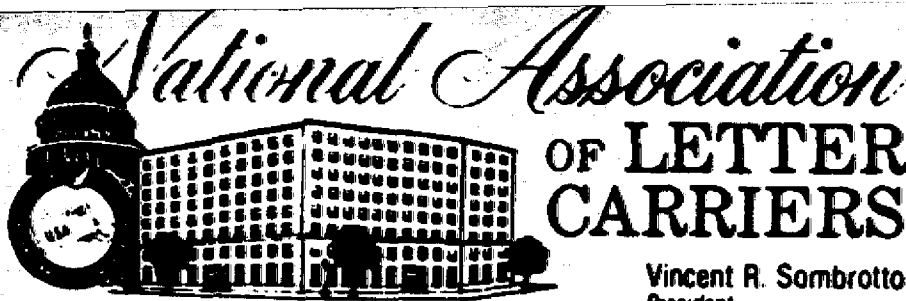
Francis J. Connors
Vice President

Richard P. O'Connell
Secretary-Treasurer

Maline Overby
Asst. Secretary-Treasurer

Joseph H. Johnson, Jr.
Director of City Delivery

William M. Dunn, Jr.
Director, Life Insurance



M-01019

Robert J. Sautz
Director, Health Insurance

Anthony S. Merill
Asst. Director, Health Ins.

Mark Roth
Director of Retired Mem.

Vincent R. Sombrotto
President

BOARD OF TRUSTEES

George Davis, Jr.
James G. Souza, Jr.
James Worsham

100 Indiana Avenue, N.W., Washington, D.C. 20001
Telephone: (202) 393-4695

DATE

A June 28, 1985

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

REQUEST FOR ARBITRATION

APPEAL FROM STEP 4 DECISION

GRIEVANT

**Branch
Beverly Hills, California**

BRANCH

2293

DEPT
CASE NO

HIN 5 BC 14665

REGIONAL
CASE NO

WIN 5 BC 14665

NALC
CASE NO

RA-143-A-81

DECISION
RENDERER

Leslie Bayliss

DATE/STEP 4
DECISION

June 21, 1985

DEAR SIR

PLEASE BE ADVISED THAT PURSUANT TO ARTICLE XV SECTIONS 2 AND 4 OF THE NATIONAL WORKING AGREEMENT, I HAVE AUTHORIZED AND HEREBY REQUEST CERTIFICATION OF THE ABOVE-CAPTIONED CASE FOR ARBITRATION. IN REPLY PLEASE REFER TO THE ABOVE-CAPTIONED CASE NUMBER.

VERY TRULY YOURS



M-01019

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

JUN 21 1985

Mr. Halline Overby
Assistant Secretary-Treasurer
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, N.W.
Washington, D.C. 20001-2197

Re: Branch
Beverly Hills, CA 90213
H1N-5B-C 14665

Dear Mr. Overby:

On February 5, 1985, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether letter carriers in the Beverly Hills, California, Post Office should have been compensated an additional 30 minutes for the time spent reading a local policy statement that was sent to the carriers' residence.

The facts in this case indicate that employees were notified during weekly stand-up talks of their responsibilities enumerated in the local policy regarding Attendance Control. In order to ensure that each employee had a copy of the policy statement and pertinent information contained therein, management sent a copy of the statement to each employee's home.

The union contends that because management sent a copy of the policy statement to the employee's home, each employee is entitled to an additional 30 minutes of pay for the time spent reading the document outside of his/her regular work schedule.

It is the position of the Postal Service that issues involving the Fair Labor Standards Act are not cognizable under the provisions of the collective-bargaining agreement between the USPS and the NALC. Furthermore, the time

Mr. Halline Overby

2

involved was de minimis in that the employees were orally informed of the specifics of the policy during their weekly stand-up talk which was held on-the-clock.

Based upon the above considerations, this grievance is denied.

Time limits were extended by mutual consent.

Sincerely,

Leslie Bayliss
Leslie Bayliss
Labor Relations Department

NBA'S GRIEVANCE CASE COMMENTS

ATTACH TO GRIEVANCE CASE SUMMARY (GRIEV-3)

M-01019

DATE: 9-18-84

TO: NATIONAL OFFICER
Halline Overby
Asst. Sec-Treasurer
NALC
100 Indiana Ave. N.W.
Washington D.C.-20001

FROM: NATIONAL BUSINESS AGENT
Brian Farris
NBA-NALC
1124 W. Chapman
Orange, Cal. 92668

REGIONAL GRIEVANCE NO.	BRANCH	CITY
WIN-5B-C-14665	83-10-26C	Beverly Hills

COMMENTS:

As can be seen this issue had been appealed to Regional Arb. but now the USPS has declared this to be interpretive. We believe that it is clear that the intent of sending the policy to each home was to have the carriers read and understand the contents.

Contained in the Policy are phone numbers, instructions for report absences and warnings of discipline if the Policy is violated.

Note; We have enclosed a copy of grievance number 14910. Imports is the language of the Step 2 denial indicating the necessity of home mailing of the Policy.

MANAGEMENT'S POSITION AT STEP 3:

ARBITRATION RECOMMENDATION: EXPEDITED REGULAR NATIONAL LEVEL NO

STATE REASONS: While the 30 Minute remedy might be a little long it does seem that some remuneration is appropriate.

National Association of Letter Carriers (AFL-CIO)

M-01019

APPEAL TO STEP 4

DATE: 9-18-84

FROM: NATIONAL BUSINESS AGENT

Brian Farris
NBA-NALC
1124 W. Chapman
Orange, CA 92668

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS
SUPERVISOR ASSISTANT POSTMASTER GENERAL
EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE
WASHINGTON, D.C. 20260

REGIONAL NO	GRIEVANT (OR CLASS)	POST OFFICE
WIN-5B-C-14665	Branch	Beverly Hills

SIR SINCE NALC USPS BELIEVE(S) THIS CASE INVOLVES AN INTERPRETIVE ISSUE UNDER THE NATIONAL AGREEMENT (OR 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 8-15-83

DATE STEP 3 DECISION RENDERED BY Wm. Bowling

DATE OF ACTION INCLUDING BUT NOT LIMITED TO 3,8,9,19

RECTIVE ACTION REQUESTED

Every Letter Carrier in the Beverly Hills Postal Installation, receive thirty(30) minutes of out-of-schedule overtime pay, for reading, studying, etc., the new local Absence Control Program polices, sent to their mailing Addresses on or about Friday May 13, 1983

APPOINTED NALC REPRESENTATIVE AT STEP 4

Halline Overby
Asst. Sect-Treasurer
NALC
100 Indiana Ave. N.W.
Washington, D.C. 20001

SINCERELY YOURS

Brian Farris

NATIONAL BUSINESS AGENT

RECEIVED

UNITED STATES POSTAL SERVICE
WASHINGTON, D.C.



M-01019

UNITED STATES POSTAL SERVICE
Western Regional Office
San Bruno, CA 94099

SEP 13 1984

Mr. Brian Farris, NALC
National Business Agent
1124 W. Chapman Avenue
Orange California 92668

SEP 13 1984

Certification #011 318

Beverly Hills, CA
Branch
W1N-5B-C 14665

Dear Mr. Farris:

On September 6, 1984, I met with your designee, Tom Young, to review the above case as a possible pre-arbitration settlement. It is my position that the grievance involves a subject that should be determined at the National level.

Consequently, this case is removed from regional arbitration and is referred to Step 4 in accordance with Article 15 of the National Agreement.

Sincerely,

David H. English, Regional
Labor Relations Representative

SEP 14 1984

DATE: June 21, 1983

M-01019

REGIONAL DIRECTOR, EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE
Western Regional Headquarters
350 Cherry Avenue
San Bruno, California 94099

FROM: BRANCH PRESIDENT
Jerry Weinstein
Branch 2293, NALC
520 North Kings Road
Los Angeles, California 90048

GR #	GRIEVANT'S NAME	GRIEVANT'S S.S. #	JOB CLASSIFICATION	STATION
0-240	Class Action	-----	Letter Carriers	Maple Annex

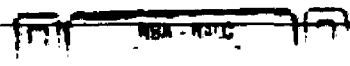
IT TO ARTICLE XV SECTION 2 OF THE NATIONAL AGREEMENT. WE HEREBY APPEAL TO STEP 3 THE DECISION AT STEP 2 OF THE ~~DECISION~~
GNEE John Puskas
Beverly Hills, CA INSTALLATION. RENDERED ON June 9, 1983 AND RECEIVED ON June 10, 1983

MENTS (CHECK) STANDARD GRIEVANCE FORM STEP 2 DECISION UNION CORRECTIONS OR ADDIT TO STEP 2 DECISION (IF FILED)
LOWING INFORMATION WILL HOPEFULLY ASSIST THE PARTIES IN QUICKLY RESOLVING THIS PROBLEM. TO DISCUSS THIS GRIEVANCE
KINDLY CONTACT OUR NATIONAL BUSINESS AGENT Brian Farrie
ESS) 363 South Main Street, Orange, CA 92668 OR BY PHONE (714) 997 8480

IN: INCLUDING BUT NOT LIMITED TO NATIONAL (ART & SECT) 3, 8, 5, 10, 14, 19 LOCAL (ART & SECT),
GROUNDS Employee Labor Relations Manual

FOR APPEAL: In conjunction with the information contained in the Step 2 Appeal following is submitted: Employee Labor Relations Manual provisions (includ not limited to), 513.3-.33-.332 and 513.3-.37-.371, and also, National Agreement provisions (including but not limited to), Article 8, Sections 4 & 5 should have been designated to explain more accurately, and clarify, national relations pertaining to the respective subjects.

TIVE ACTION REQUESTED: Management immediately withdraw and rescind the new Absence Control Program, and abide by prevailing Employee Labor Relation Manual, as we National Agreement provisions, regarding subjects made reference to in the local Absence Control Program, mailed to Letter Carriers on or about Friday 13, 1983.



Jerry Weinstein

JUNES, 88305-10-246

USPS STEP 3 DESIGNEE NAME & TITLE: Toller Kuskas Alinks Beverage Hills Co INSTALLATION: JUNES, 88305-10-246 PHONE - OFFICE: 276-31

ONE BRANCH NO: 2293 BUSINESS ADDRESS: 520 NORTH KINGS ROAD - LOS ANGELES CA 90

AUTHORIZED OR REP: JERRY WEINSTEIN - PRESIDENT PHONE - OFFICE: 276-3161 PHONE - OTHER: 655-7

MEETING HELD ON (DATE TIME) BETWEEN: MAY 16 1983 AT: JAMES MILKS AND: JERRY WEINSTEIN

ISSUE NAME (OR CLASS): CLASS ACTION M-01019

HOME ADDRESS: _____ CITY: _____ STATE: _____

B.C. CLASSIFICATION: LETTER CARRIERS CRAFT SENIORITY DATE: _____ USPS SENIORITY DATE: _____ DUTY HOURS: _____

ATKIN OR BRANCH: MAPLE ANNE X SOCIAL SECURITY NO: _____ VETERAN: YES NO

SA SU M T W TH F LEVEL STEP REG

FIXED CHECK AS APPLICABLE: ROTATING:

EP 1: RENDERED ON (DATE TIME): MAY 24 1983 BY: NAME & TITLE: JAMES MILKS - UNIT 1-90210 SUPERVISOR'S INITIAL (UPON REQUEST): _____

IN ACCORDANCE WITH ARTICLE XV OF THE NATIONAL AGREEMENT WE HEREBY APPEAL TO STEP 2. THE FOLLOWING GRIEVANCE
 GROUNDS: EXTENSION OF TIME LIMITS MUTUALLY AGREED UPON
ON FEBRUARY 11, 1983, THE UNION WAS MADE AWARE OF A NEW ABSENCE CONTROL PROGRAM TO BE INSTITUTED BY LOCAL MANAGEMENT.

EXTENSION OF TIME LIMITS MUTUALLY AGREED UPON
 ON FEBRUARY 11, 1983, THE UNION WAS MADE AWARE OF A NEW ABSENCE CONTROL PROGRAM TO BE INSTITUTED BY LOCAL MANAGEMENT.

ADDITIONAL SHEET

ISSUE CONTENTIONS: REASONS FOR GRIEVANCE THE EMPLOYEE LOYALTY PROGRAM VIOLATES NATIONAL AGREEMENT, SPECIFICALLY MENTIONED PROCEDURES FOR DELAYS MENTIONED IN THE NEW ABSENCE CONTROL PROGRAM. THE LOCAL POLICIES GO BEYOND THE REQUIREMENTS OF THE SUBJECTS MENTIONED AND TENDS TO ANTAGONIZE AND INFLUENCE THE EMPLOYEES, CREATING A THREAT TO THEIR HEALTH BY VIOLATING NATIONAL AGREEMENT PROVISIONS.

ADDITIONAL SHEET

CORRECTIVE ACTION REQUESTED: MANAGEMENT IMMEDIATELY RESCIND AND WITHDRAW THE NEW ABSENCE CONTROL PROGRAM, AND DELAY & REVOKING EMPLOYEE LABOR RELATIONS AGREEMENTS TO BY AGREEMENT - AGREEMENTS & NEGOTIATIONS PERTAINING TO SUBJECTS MENTIONED IN THE NEW ABSENCE CONTROL PROGRAM.