



UNITED STATES POSTAL SERVICE
475 L ENFANT PLAZA SW
WASHINGTON DC 20260-4100

M-01080

LABOR RELATIONS DEPARTMENT

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

Re: H7N-3A-C 40704
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 delivery of Priority and First Class Mail by Special Delivery messengers violates the terms and conditions of the National Agreement.

After reviewing this matter, we mutually agreed that no national interpretive issue is fairly presented in this case.

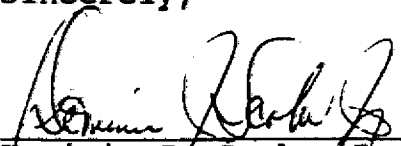
In the particular fact circumstances of this case, the work described, i.e., the delivery of First Class and Priority Mail on a route served by a Letter Carrier, is Letter Carrier work. The propriety of a Cross Craft assignment can only be determined by the application of Article 7 Section 2.

Accordingly, we agreed to remand this case to the parties at Step 3 for further processing, including arbitration if necessary.

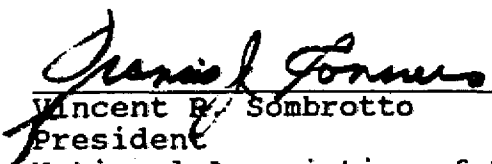
Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to remand this case.

Time limits were extended by mutual consent.

Sincerely,



Dominic J. Scola, Jr.
Grievance and Arbitration
Division



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

Date: 6/9/92



38 USC 380



National Association of Letter Carriers (AFL-CIO)

APPEAL TO STEP 4

4067

DATE December 17, 1991

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

FROM NATIONAL BUSINESS AGENT

Gary H. Mullins
2621 W. Airport Freeway
STE 200
Irving, Tx 75062

CARRIER	REGIONAL NO	GRIEVANT (OR CLASS)	POST OFFICE
	S7N-3A-C 40704	Class Action	Spring Valley

ND-39-91

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 27, 1991

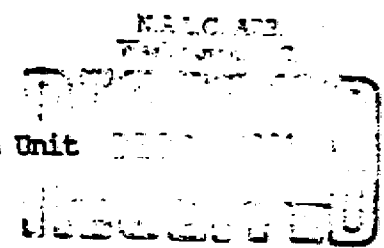
STEP 3 DECISION RENDERED BY Phil Dodson

VIOLATION INCLUDING BUT NOT LIMITED TO 7-15

CORRECTIVE ACTION REQUESTED: Management shall be instructed to assign this work to Letter Carriers and avoid delay of mail.

DESIGNATED NALC REPRESENTATIVE AT STEP 4:

Contract Administration Unit
Washington, D. C.



SINCERELY YOURS.

Gary H. Mullins
NATIONAL BUSINESS AGENT

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



DATE: September 4, 1991

TO: REGIONAL DIRECTOR, HUMAN RESOURCES
UNITED STATES POSTAL SERVICE

FROM: NATIONAL BUSINESS AGENT

Gary H. Mullins
600 E. Las Colinas Blvd.
STE 560
Irving, Tx 75039

REQUEST FOR ARBITRATION

GRIEVANT: Class Action
Dallas, Tx

NALC
GTS/BILLING NO.: 012075
BRANCH: 132

REGIONAL
CASE NO.: S7N-3A-C 40704

NALC
CASE NO.: ND-39-91

PENALTY
(DISCIPLINE ONLY):

CONTRACTUAL
VIOLATION: NATIONAL ART. 7-15 SEC. _____

DECISION
RENDERER: Phil Dodson

DATE/STEP 3
DECISION: August 23, 1991

DATE/DECISION
RECEIVED: August 27, 1991

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 DENIED AT STEP 3. IN REPLY, PLEASE REFER TO THE ABOVE-CAPTIONED CASE NUMBER.

SINCERELY YOURS,

NATIONAL BUSINESS AGENT

CC: POSTMASTER
BRANCH PRESIDENT, NALC



UNITED STATES POSTAL SERVICE
SOUTHERN REGIONAL OFFICE
MEMPHIS TN 38166-0979

LABOR RELATIONS

August 23, 1991

Mr. Gary Mullins
National Business Agent
National Association of Letter
Carriers, AFL-CIO

Southern Region Grievance
Appeal No. S7N-3A-C 40704
Dated: 08/06/91
Local No. ND-39/91

Subject: Step 3 Grievance Decision: CLASS ACTION
Dallas, TX
Provision Allegedly Violated: 07-02-03

Dear Mr. Mullins:

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

Based on information presented and contained in the grievance file, the grievance is denied. A part of Special Delivery Messengers' duties encompass the delivery and collection of mail. This function does not exclusively belong to the City Letter carrier craft. The Union has not demonstrated a violation of the National Agreement.

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

In our judgement, 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.

Phil Dodson
Phil Dodson
Labor Relations

APPEALED TO
ARBITRATION

9-4-91

cc: FDGM/PM Dallas, TX
SCM/PM
Postmaster
2

RECEIVED
AUG 27 91
GARY MULLINS
NAC
DALLAS REGION #10



OFFICIAL OLYMPIC SPONSOR
36 USC 306



National Association of Letter Carriers (AFL-CIO)

M-01080

12075
316

GRIEVANCE
APPEAL TO

D-388

DATE: 8-1-91

TO: REGIONAL DIRECTOR, EMPLOYEE AND LABOR RELATIONS
UNITED STATES POSTAL SERVICE
Southern Postal Region
Midtown Towers
Memphis, TN 38166

FROM: BRANCH PRESIDENT
Jack Walker, President
Lone Star Br. 132/NALC
221 W. Centre St.
Dallas, TX 75208

BRANCH GR.#	GRIEVANT'S NAME	GRIEVANT'S S.S.#	JOB CLASSIFICATION	STATION
ND-39/91	Class Action	N/A	Letter Carriers	Spring Valley

PURSUANT TO ARTICLE XV, SECTION 2 OF THE NATIONAL AGREEMENT, WE HEREBY APPEAL TO STEP 3 THE DECISION AT STEP 2 OF THE POSTMASTER
DESIGNED Hathman, General Manager Dallas, TX 75260 760-4445
OF THE Dallas, TX 75260 INSTALLATION, RENDERED ON 7-30-91 AND RECEIVED ON 7-31-91

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 Gary Mullins, NBA

BY MAIL (ADDRESS) 600 E. Las Colinas Blvd, #560 OR BY PHONE (214)869-0711
Irving, TX 75039

VIOLATION: INCLUDING BUT NOT LIMITED TO NATIONAL (ART & SECT.) 7 - 15 LOCAL (ART. & SECT.)

OTHER GROUNDS:

REASONS FOR APPEAL: 5/1/91 - On this date and others, Special Delivery Messengers
have delivered Priority Parcels and 1st Class Mail. In some cases they
have only taken such mail to VIM Rooms without making delivery. Plus other
procedural errors.

The Union contends this is a violation of Article 7 as well as unnecessary
delay of mail.

****TIME LIMITS EXTENDED BY MUTUAL AGREEMENT.**

CORRECTIVE ACTION REQUESTED:

Management shall be instructed to assign this work to Letter Carriers
and avoid delay of mail.

BY: NATIONAL BUSINESS AGENT, NALC
POSTMASTER

Susan Clem, NALC Representative
BRANCH PRESIDENT/DESIGNEE

Susan Clem
SIGNATURE

UNITED STATES POST OFFICE

Dallas, Texas 75260

DATE: July 30, 1991
REF: SN003:HR:JETHomas:cjt:75260-9401
SUBJECT: Grievance No. D-388-91-N-43-C-37 Class Action
 Crossing Crafts Union No. ND-39/91

Susan Clem
Steward, 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 July 3, 1991, concerning a grievance filed on behalf of Letter Carriers at Spring Valley Station. You cite Article(s) 7 and 15 as being violated.

A Step 2 meeting was held with you on July 15, 1991.

FACTS:

On May 1, 1991, Special Delivery Messengers delivered Priority Parcels when the last Express dispatch arrived at 1:30 p.m.

UNION CONTENTIONS:

1. In some cases the Special Delivery messengers just took the mail to a VIM room without making delivery.
2. Violation of Article 7 by letting Special Delivery messengers deliver Priority mail.

MANAGEMENT CONTENTIONS:

1. The Union failed to give specifics.
2. Special Delivery messengers report at 0700, Article 7B states in part "In the event of insufficient work on any particular day or days in a full-time or part-time employee's own scheduled assignment, management may assign the employee to any available work in the same wage level for which the employee is qualified, consistent with the employee's knowledge and experience, in order to maintain the number of work hours of the employee's basic work schedule.

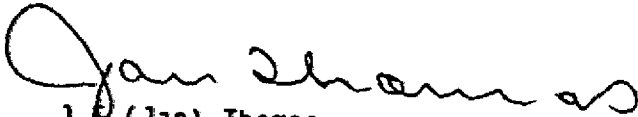
Grievance No. D-388-91-N-43-C-37
Crossing Crafts

Class Action
Union No. ND-39/91

REASON FOR DENIAL:

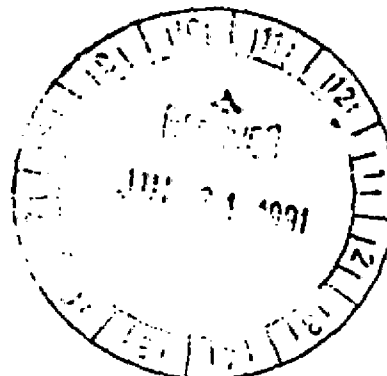
After considering all available information and the presentation by the Union, it is my decision to deny the grievance. The delivery of priority mail is not the exclusive right of a letter carrier. In addition, the Position Descriptions (Duties and Responsibilities) are the same in both crafts as well as description of work in the Qualification Standards (EL 303).

Time limits extended by mutual agreement.



J E (Jan) Thomas
Postmaster's Step 2 Designee
Dallas, Texas 75260

cc: C Bonneau
Supv, Spring Valley 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-01080

WITHDRAWN	RESOLVED
DATE	
NALC INITIALS	USPS INITIALS

STANDARD GRIEVANCE FORM

DATE 7-2-91	BRANCH GRIEV NO ND-39/91	USPS NO
TO: USPS STEP 2 DESIGNEE (NAME & TITLE) W.H. Hathman, General Manager		INSTALLATION Dallas, TX 75260
FROM: BRANCH NO 132	BUSINESS ADDRESS 221 W. Centre St. Dallas, TX 75208 <i>63-4515</i>	
STEP 2 AUTHORIZED UNION REP Susan Clem, NALC Representative (Spring Valley)		PHONE—OFFICE 385-3393
		PHONE—OTHER 942-5322
STEP 1 MEETING: HELD ON (DATE/TIME) 6-21-91	BETWEEN USPS REPRESENTATIVE Chuck Bonneau	AND GRIEVANT Class Action
		STEWARD S. Clem
GRIEVANT'S NAME (OR CLASS) Class Action		PHONE
HOME ADDRESS	CITY	STATE ZIP
JOB CLASSIFICATION Letter Carriers	CRAFT SENIORITY DATE N/A	USPS SENIORITY DATE N/A
STATION OR BRANCH Spring Valley		SOCIAL SECURITY NO N/A
OFF DAYS <input type="checkbox"/> ROTATING <input type="checkbox"/> 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 FIXED—CHECK AS APPLICABLE		VETERAN <input type="checkbox"/> YES <input type="checkbox"/> NO
STEP 1 DECISION RENDERED ON (DATE/TIME) 6-21-91	BY (NAME & TITLE) Chuck Bonneau/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) 7 - 15 LOCAL (ART & SECT) _____
 OTHER GROUNDS _____

ACTS: WHAT HAPPENED 5/1/91 - On this date and others, Special Delivery Messengers have delivered Priority Parcels and 1st Class Mail. In some cases they have only taken such mail to VIM ROOMS without making delivery. Plus other procedural errors.

UNION CONTENTIONS: REASONS FOR GRIEVANCE The Union contends this is a violation of Article 7 as well as unnecessary delay of mail.

****TIME LIMITS EXTENDED BY MUTUAL AGREEMENT.**

CORRECTIVE ACTION REQUESTED: Management shall be instructed to assign this work to Letter Carriers and avoid delay of mail.

BRANCH PRESIDENT/DESIGNEE Susan Clem, NALC Representative *Susan Clem*