

LABOR RELATIONS

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**CONTRACT ADMINISTRATION UNIT
N.A.L.C. WASHINGTON, D.C.**

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

Re: H90N-4H-C 96077604
SON-SC-C 89395
CLASS ACTION
NAPLES, FL 33941-9998

Dear Mr. Sombrotto:

On several occasions, the most recent being September 26, 1996, I met with your representative, Jim Edgemon, to discuss the above captioned grievance at the fourth step of our contractual grievance procedure.

Based on the most recent discussion, it was agreed that the following mutual understanding will supercede the original decision in this case dated August 13, 1996.

The case at issue deals with an office in a DPS environment. The September 1992 MOU at Appendix C of Building our Future by Working Together, as well as Handbook M-39 (243.614), specify that, within 60 days of implementing the planned adjustments for future automated events, the parties will revisit those adjustments to ensure that routes are as near to 8 hours daily as possible. Both the planned adjustments and subsequent minor adjustments that may be necessary are based on the most recent route inspection data for the route. In this case, the reexamination process was timely conducted in August (within 60 days of implementing the planned adjustments). During its revisit of the adjustments, management also conducted one-day counts in order to determine each carrier's office performance as provided for in M-39, Section 141.2.

The interpretive issue in this grievance is whether Management violated the National Agreement by conducting one-day special office mail counts as part of its requirement to revisit and reexamine previously planned adjustments.

During our discussion, we mutually agreed that Special Office Mail Counts (M-39, 141.2) are conducted when management desires to determine the efficiency of a carrier in the office, and cannot form the sole basis for route adjustments. However, no prohibition exists that restricts management from also conducting a one-day count for the above purpose in conjunction with the 60-day reexamination of planned adjustments. The only time restraint imposed by the M-39 is that the carrier must be given one-day's advance notification.

Accordingly, please sign and return the enclosed copy of this decision as your acknowledgement to remand this case to Sept 3 for further processing and application of the above understanding.

Sincerely,



Nora A. Becker
Nora A. Becker
Grievance and Arbitration
Labor Relations



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

Date: 1/6/97