

EMPLOYEE RELATIONS



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JAN 14 1999

**CONTRACT ADMINISTRATION UNIT
HALLS WASHINGTON, D.C.**

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

Re: C94N-4C-C 99067738
Pino, C.
Conshohocken, PA 19428-9998

Dear Mr. Sombrotto:

On January 7, 1999 I met with your representative to discuss the above-referenced grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether Management violated the National Agreement by issuing a local policy which prohibited carriers from smoking in Postal vehicles.

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

This issue was the subject of Case Number B90N-4B-C 94066889, which was settled on February 16, 1995, as follows:

The purpose of the revised smoking policy is to prevent non-smokers from having to breathe secondary smoke for reasons of health. If a smoker is in the vehicle alone, then smoking would be permitted since no one else would be affected. If, however, the vehicle is carrying more than one person, then there should be no smoking in that vehicle unless everyone in the vehicle is a smoker.

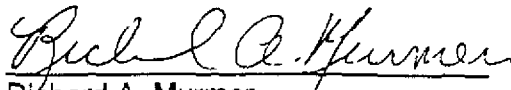
This issue was also the topic of Case Number G90N-4G-C 93053971, dated February 4, 1994. The local policy in question will accordingly be modified to properly reflect this change.

Accordingly, we agreed to remand this case to the parties for application of the aforementioned decision, and for further processing.

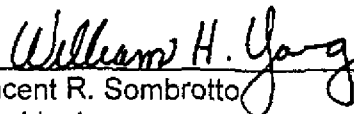
Please sign and return the enclosed copy of this decision as your acknowledgment of agreement to remand this case.

Time limits were extended by mutual consent.

Sincerely,



Richard A. Murmer
Labor Relations Specialist
Grievance and Arbitration



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

Date: Jan 14, 1999