

LABOR RELATIONS



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CONTRACT ADMINISTRATION UNIT
NALC, WASHINGTON, D.C.

Mr. Vincent R. Sombrotto
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001-2144

Re: E94N-4E-C 98092565
Class Action
Medford, OR 97501-9998

Dear Mr. Sombrotto:

On December 17, 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 case is whether, under the Dispute Resolution Process, when the parties declare an impasse, are the arguments in arbitration limited to those raised in writing in the impasse decision?

During our discussion, we mutually agreed that no national interpretive issue is fairly presented in this case.

The parties agreed that the Questions and Answers portion of the NALC/USPS Dispute Resolution Process Test, Q&A No. 59, is applicable to this case and reads as follows:

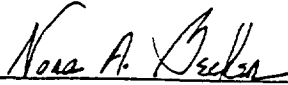
"59. The impasse decision should contain all issues in dispute and both parties' position on those issues. The arbitration would thus generally be limited to those issues. However, there are always exceptions to general statements like this; an arbitrator could use his/her authority to hear additional arguments if persuaded of the necessity. We do not, however, want "arbitration by ambush."

Review of the file indicates that this case was appealed to Step 4 from regional arbitration. Accordingly, in compliance with the Memorandum of Understanding, Step 4 Procedures, we agreed that it will be returned directly to regional arbitration to be heard before the same arbitrator who was scheduled to hear the case at the time of the referral to Step 4. Additionally, if the hearing had opened, the case will be returned to the same stage of arbitration.

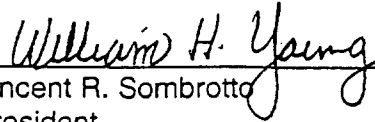
Please sign and return the enclosed copy of this decision as your acknowledgment of agreement to remand this case.

Time limits were extended by mutual consent.

Sincerely,



Nora A. Becker
Labor Relations Policies
and Program (NALC)
Labor Relations



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

Date: 2-7-2000

Enclosure