



M-01419

RECEIVED

DEC 9 1999

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

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

Re: D94N-4D-C 99181860
Class Action
Kinston, NC 28501-9998

D94N-4D-C 99200702
Class Action
Lancaster, SC 29720-9998

Dear Mr. Sombrotto:

On several occasions, I met with your representative to discuss the above-referenced grievances at the fourth step of our contractual grievance procedure.

The issue contained in these grievances is whether local management violated Article 10 and Article 19 of the National Agreement when it initiated an ongoing attendance review (OAR) policy.

After further review of this matter, we mutually agreed that no national interpretive issue is fairly presented in these cases. The issue in these cases is a matter of application rather than interpretation. A local attendance control program cannot be inconsistent with Article 10 of the National Agreement and Chapter 510 of the Employee and Labor Relations Manual (ELM). Disciplinary action which may result from a local attendance control policy must meet the "just cause" provisions of Article 16 of the National Agreement.

Accordingly, without prejudice to either parties position on any procedural issues which may be contained in these cases, we agreed to remand these cases to the parties at Step 3 for further processing or to be scheduled for arbitration, as appropriate.

M-01419

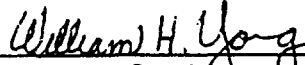
Please sign and return the enclosed copy of this decision as your acknowledgment of agreement to remand these cases.

Time limits were extended by mutual consent.

Sincerely,



Richard A. Murrher
Labor Relations Specialist
Labor Relations Policies
and Programs (NALC)



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

Date: 4-26-2000

Enclosure