



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

RECEIVED

APR 3 2001

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

Re: B94N-4B-C 98056900
New Haven, CT 06501-9998

Dear Mr. Sombrotto:

Recently, our representatives met in prearbitration discussions of the above-referenced grievance.

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

When an employee is awarded back pay, the hours an employee would have worked if not for the action which resulted in the back pay period, are counted as work hours for the 1250 work hour eligibility under the Family Medical Leave Act (FMLA).

If an employee substitutes annual or sick leave for any part of the back pay period that they were not ready, willing and able to perform their postal job, the leave is not counted as work hours for the 1250 work hour eligibility requirement under the FMLA.

If a remedy modifies an action, resulting in a period of suspension or leave without pay, that time is not counted as work hours for the 1250 hours eligibility requirement under the FMLA.

Accordingly, the parties agreed to remand this case to the parties at Step 3 for further processing, consistent with the above understanding.

Time limits were extended by mutual consent.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug A. Tulino".

Doug A. Tulino
Manager
Labor Relations Policies and
Programs

A handwritten signature in black ink, appearing to read "William H. Young".

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

Date: 4-03-2001