

LABOR RELATIONS



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DEC 3 2002

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: Q98N-4Q-C 01090839
 CLASS ACTION
 Washington, DC 20001-9998

Dear Mr. Sombrotto:

We recently met in pre-arbitration discussion concerning the above referenced grievance. The issue is whether Publication 71, "Notice for Employees Requesting Leave for Conditions Covered by the Family and Medical Leave Act", violates the National Agreement by requiring "supporting documentation" for an absence of three days or less in order for an employee's absence to be protected under the Family and Medical Leave Act (FMLA).

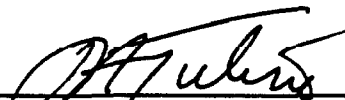
After reviewing this matter, we agree that no national interpretive issue is presented. The parties agree to resolve the issue presented based on the following understanding:


The parties agree that the Postal Service may require an employee's leave to be supported by an FMLA medical certification, unless waived by management, in order for the absence to be protected. When an employee uses leave due to a condition already supported by an FMLA certification, the employee is not required to provide another certification in order for the absence to be FMLA protected.

We further agree that the documentation requirements for leave for an absence of three days or less are found in Section 513.361 of the Employee and Labor Relations Manual which states in pertinent part that:

For periods of absence of 3 days or less, supervisors may accept the employee's statement explaining the absence. Medical documentation or other acceptable evidence of incapacity for work or need to care for a family member is required only when the employee is on restricted sick leave (see 513.39) or when the supervisor deems documentation desirable for the protection of the interests of the Postal Service.

Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to settle this case and remove it from the pending national arbitration listing.


 Douglas A. Tulino
 Manager
 Labor Relations Policies and Programs


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

Date: 12-09-02