

LABOR RELATIONS

**RECEIVED**

APR 22 2003

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

Mr. William H. Young
President
National Association of Letter
Carriers, AFL-CIO
100 Indiana Avenue, NW
Washington, DC 20001-2144

RE: B94N-4B-C 99258223
B94N-4B-C 99263745
Class Action
Manchester, NH 03103-9998

Dear Mr. Young:

Recently, our representatives met in prearbitration discussion of the above referenced grievances. After reviewing this matter, we mutually agree there is no interpretative issue presented.

The issue in these grievances is: When is it appropriate for disputes relative to an alleged on-the-job injury to be pursued through the grievance procedure including arbitration. The parties agree that the issue is addressed in the JCAM as indicated below.

We further agreed to remand these cases to the Dispute Resolution Team through the National Business Agent's office for resolution and application of the following excerpt from the February 2003 JCAM, page 15-1:

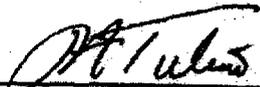
... most work related disputes may be pursued through the grievance/arbitration procedure. The language recognizes that most grievances will involve the National Agreement or a Local Memorandum of Understanding. Other types of disputes that may be handled with the grievance procedure may include:

Disputes concerning the rights of ill or injured employees, such as claims concerning fitness-for-duty exams, first aid treatment, compliance with the provisions of ELM Section 540 and other regulations concerning OWCP claims. Step Step 4 Settlement G90N-4G-C 95026885, January 28, 1997, M-01264. However, decisions of the Office of Workers' Compensation Programs (OWCP) are not grievable matters. OWCP has the exclusive authority to adjudicate compensation claims, and to determine the medical suitability of proposed limited duty assignments.

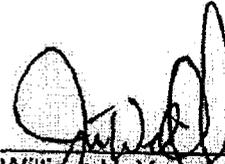
Page 2 -- B94N-4B-C 99258223 & 99263745

Please sign and return the enclosed copy of this decision as acknowledgment of your agreement to remand these grievances, removing them from the national arbitration listing.

Sincerely,



Doug A. Tulino
Manager
Labor Relations Policies
and Programs



William H. Young
President
National Association of Letter
Carriers, AFL-CIO

Date: 4/29/03