

LABOR RELATIONS



December 19, 2006

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

Dear Gary:

This is in further reference to our conversation regarding your December 1 correspondence concerning supervisory activation of the "Deems Desirable" option in eRMS and the Restricted Sick Leave List (RSL List) provisions of ELM Section 513.39.

As noted in our June 20 response to a previous NALC inquiry that included this issue, a supervisor's determination that *medical documentation or other acceptable evidence* of incapacitation is desirable for the protection of the interest of the Postal Service must be made on a case by case basis, must be consistent with the provisions of ELM 513.361 and may not be arbitrary, capricious, or unreasonable.

Availability of this eRMS option does not expand or diminish supervisory authority, or change policy concerning medical documentation in any way. We are developing an eRMS enhancement to ensure system users are advised of this.

Please contact John Cavallo at (202) 268-3804 if you have additional questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "A.J. Johnson".

A.J. Johnson
Manager
Labor Relations Policy and Programs

RECEIVED

DEC 20 2006

VICE PRESIDENT'S
OFFICE
NALC HEADQUARTERS

cc: 2204