

Local Grievance # _____

Issue Statement (Block 15 of PS Form 8190):

Did management violate Article 41, Section 2 of the National Agreement by removing Part-Time Flexible/Full-Time Reserve/Unassigned Regular/Full-Time Flexible Letter Carrier **[name]** from his/her opt/hold-down assignment on (date) in the **[Station/Installation]**, and if so, what should the remedy be?

Union Facts and Contentions (Block 17 of PS Form 8190)

Facts:

1. Letter Carrier **[name]** placed a bid for an opt/hold-down on Route **[route #]** on **[date]**.
2. Letter Carrier **[name]** was awarded the opt/hold-down on Route **[route #]** and began holding down the route on **[date]**.
3. The duration of the opt/hold-down on Route **[route #]** has not ended.
4. Letter Carrier **[name]** was removed from his/her opt/hold-down on route **[route #]** on **[date]**.

Contentions:

1. Management violated Article 41, Section 2 of the National Agreement when it removed Letter Carrier **[name]** from his/her opt/hold-down assignment on Route **[route #]** on **[date]**.
2. Letter Carrier **[name]** has the right under Article 41.2.B.5 to continue working the duties of the opt/hold-down for the duration of the vacancy. The following explanation of this provision appears on page 41-12 of the April 2009 Joint Contract Administration Manual (JCAM), which states in relevant part:

***Duration of Hold-Down.** Article 41.2.B.5 provides that once an available hold-down position is awarded, the opting employee "shall work that duty assignment for its duration." An opt is not necessarily ended by the end of a service week. Rather, it is ended when the incumbent carrier returns, even if only to perform*

part of the duties—for example, to case but not carry mail.

3. There is no claim that the duration of the opt/hold-down ended. Therefore, management's removal of Letter Carrier **[name]** from this opt/hold-down is a clear violation of Article 41.2 of the National Agreement and an appropriate remedy must be granted.

Remedy (Block 19 of PS Form 8190):

1. That Letter Carrier **[name]** be returned to his/her opt/hold-down assignment effective immediately.
2. That management cease and desist violating Article 41, Section 2 of the National Agreement at the **[Station/Installation]**.
3. That Letter Carrier **[name]** be paid a lump sum equal to the difference between the number of hours he/she has actually worked since **[date]** and the number of hours he/she would have worked had the opt/hold-down not been terminated. This payment is to also include any out of schedule premium pay that results from the change in work schedules.
4. As an incentive to ensure future compliance, that Letter Carrier **[name]** be paid a lump sum of \$100.00.
5. That all payments associated with this case be made as soon as administratively possible, and/or any other remedy the Step B Team or an Arbitrator deems appropriate.



National Association of Letter Carriers

Request for Information

To: _____
Supervisor Customer Services

Date _____

Station/Post Office

Dear _____,

Pursuant to Article 17 and 31 of the National Agreement, I am requesting the following information:

1. A copy of the Letter Carrier work schedule for the week(s) of **[date]**.

I'm also requesting time to interview the following individuals:

Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,

Shop Steward
NALC

Request received by: _____

Date: _____



National Association of Letter Carriers

Request for Steward Time

To: _____
Supervisor Customer Services

Date: _____

Station/Post Office

Dear _____,

Pursuant to Article 17 of the National Agreement, I am requesting the following steward time to:

Investigate a Grievance Write & Prepare a Grievance Interview Witnesses

I anticipate needing approximately _____ (hours) of steward time, which needs to be scheduled no later than _____. In the event more steward time is needed, I will inform you as soon as possible.

Individuals the union needs to interview:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,

Shop Steward
NALC

Request received by: _____

Date: _____