**Local Grievance # \_\_\_\_\_\_\_\_**

**Issue Statement (Block #15 on PS Form 8190):**

Did Management at the **[Installation name]** Installation violate Article 28 of the National Agreement by issuing Letter Carrier **[Name]** a Letter of Demand dated **[Date]** in the amount of **[$$$]**, and if so, what should the remedy be?

**Union Facts and Contentions (Block #17 on PS Form 8190):**

**Facts:**

1. Letter Carrier **[Name]** received a Letter of Demand on/about **[Date].** The Letter of Demand issued to Letter Carrier **[Name]** dated **[Date]** in the amount of **[$$$]** states the reason for the debt as **[Reason for debt on LOD]**.
2. Article 28 of the National Agreement states in relevant part:

*In advance of any money demand upon an employee for any reason, the employee must be informed in writing and the demand must include the reasons therefor.*

1. The Union requested any and all documentation relied upon by management to determine that Letter Carrier **[Name]** owes a debt. Management provided **[Describe info provided]**.
2. Article 28, Section 2 of the National Agreement states:

***Section 2. Loss or Damage of the Mails***

*An employee is responsible for the protection of the mails entrusted to*

*the employee. Such employee shall not be financially liable for any*

*loss, rifling, damage, wrong delivery of, or depredation on, the mails or*

*failure to collect or remit C.O.D. funds unless the employee failed to*

*exercise reasonable care.*

1. Letter Carrier **[Name]** has included a written statement in the case file. This statement explains that Letter Carrier **[Name]** cannot determine what the alleged debt is for, nor can they determine if the alleged debt is legitimate. Letter Carrier **[Name]** also explains that they exercised reasonable care in this situation.

**Contentions:**

1. Management violated Article 28 of the National Agreement by failing to inform Letter Carrier **[Name]** the reasons for the debt. The Union contends the reason listed on the Letter of Demand **[Insurance/loss of mail/overpayment/etc.]** does not satisfy management’s obligation under Article 28. A Letter of Demand, not simply a bill, is **demand** for payment that comes with automatic wage garnishments. An employee issued a Letter of Demand should reasonably expect to be informed in detail as to the reasons they owe a debt so they can determine if the debt is legitimate or not.
2. The Union contends that the debt referenced in the Letter of Demand issued to Letter Carrier **[Name]** is not legitimate. This contention is supported by management’s response to the Union’s request for information in this case.
3. Management violated Article 28 of the National Agreement by issuing a Letter of Demand to Letter Carrier **[Name]** for **[Insurance/loss of mail/overpayment/etc.]** without explaining, in detail, the reason for the debt and without proving the debt is legitimate.

**Remedy (Block #19 on PS Form 8190):**

1. That management cease and desist violating Article 28 of the National Agreement.
2. That the Letter of Demand issued to Letter Carrier **[Name]** dated **[Date]** in the amount of **[$$$]** be immediately rescinded.
3. That the USPS be instructed to make no attempt to collect this debt in the future, and/or any other remedy the Step B team or an arbitrator deems appropriate.

**National Association of Letter Carriers**

**Request for Information**

To: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_

(Manager/Supervisor)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Station/Post Office)

Manager/Supervisor\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Pursuant to Articles 17 and 31 of the National Agreement, I am requesting the following information to investigate a grievance concerning a violation of Article 28:

1. A copy of the Letter of Demand issued to Letter Carrier **[Name]** dated **[Date]** in the amount of **[$$$]**.
2. Any and all documentation relied upon by management to determine that Letter Carrier **[Name]** owes a debt.

I am also requesting time to interview the following individuals:

1. **[Name]**
2. **[Name]**
3. **[Name]**

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,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Request received by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Shop Steward

NALC Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**National Association of Letter Carriers**

**Request for Steward Time**

To: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Manager/Supervisor)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Station/Post Office)

Manager/Supervisor \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Pursuant to Article 17 of the National Agreement, I am requesting the following steward time to investigate a grievance. I anticipate needing approximately \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hours/minutes) of steward time, which needs to be scheduled no later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in order to ensure the timelines established in Article 15 are met. In the event more steward time is needed, I will inform you as soon as possible.

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,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Request received by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Shop Steward

NALC Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_