

Local Grievance # _____

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

Did management violate Sections 211.1 and 214 of the M-39 Handbook via Article 19 of the National Agreement by failing to conduct a proper unit and route review and/or failing to share the results of such review with the local union and/or Letter Carriers in advance preparation for the mail count and inspection scheduled for [date] at the [Station/Post Office], and if so, what should the remedy be?

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

Facts:

1. Management scheduled a mail count and inspection for Route(s) [route #(s)] at the [Station/Post Office] to begin on [date].
2. Section 211.1 of the M-39 Handbook states:

211 *Selecting Period for Mail Counts and Route Inspections*

211.1 *In order to achieve and maintain an appropriate daily workload for delivery units and routes, management will make at least annual route and unit reviews consisting of an analysis of items listed in section 214, and workhours, volumes, and possible deliveries. Items listed in section 213 may also be utilized in the review. These reviews will be utilized to verify adjustments which have been taken by management, or need to be taken by management, in order to maintain efficient service. The results of the review will be shared with the local NALC President, or designee, and the regular letter carrier(s) serving the route(s) that require adjustment. In some units it may be necessary to proceed with mail counts and route inspections on one or more routes. These inspections will be conducted between the first week of September and May 31, excluding December.*

3. Section 214 of the M-39 Handbook states:

214 *Review of Operating Procedures*

All operations at the delivery units should be reviewed and any unsatisfactory conditions should be corrected before the count is commenced. The review should include at least:

a. *Letter Routes*

- (1) *Scheduled reporting and leaving times in relation to arrival time of mail at the unit and public transportation schedules.*
- (2) *Adequacy of carrier case equipment and condition of carrier case labels (see exhibit 126.5, Review of Carrier Case and Work Area).*
- (3) *Volume of preferential mail received on each dispatch prior to the carrier's leaving time.*
- (4) *Amount of missent/misthrown mail distributed to carriers.*
- (5) *Whether all approved segmentations of mail are being made up in the most efficient manner practicable.*
- (6) *Handling of accountable and signature mail by carriers at central markup offices. At the largest installations receiving a large volume of accountable and signature mail for delivery, local managers may make an exception allowing carriers to mark up this mail if accountable clerks are unable to expedite rehandling of the pieces in clearing carriers of proper responsibility.*
- (7) *Review of Carrier Route Book to determine if:*
 - (a) *Form 1564A — all items completed.*
 - (b) *Forms 1564-B and 3982 — posted on a current basis (see exhibit 126.5).*
 - (c) *Edit Book and/or Form 1621 — completed to show current number of deliveries (see exhibit 128.21, Delivery Management Report).*
- (8) *Review DPS Handling Procedures.*

b. *Parcel Post and Combination Services Routes*

- (1) *Scheduled reporting and leaving time of carriers in relation to scheduled receipts and distribution of incoming mail.*
- (2) *Adequacy and efficiency of relay service.*
- (3) *Adequacy of sack rack equipment and rack labels.*
- (4) *Whether intra- and inter-city trips to carrier-based stations are scheduled to provide dispatch of maximum volume of all preferential mail on the first trip.*
- (5) *Whether excessive errors in distribution are made.*
- (6) *Observation of office and street procedures, such as:*

- (a) *Loading vehicles at dock. (If sack routing is used, the first sack separation only will be dumped.)*
 - (b) *Line of travel in serving route. (Managers should be very familiar with the routes and the territory they cover.)*
- c. *Collection Routes*
 - (1) *Whether collector is maintaining identity of customer-separated mail.*
 - (2) *Problems at platform; i.e., congestion, lack of equipment, etc.*
 - (3) *Vehicles — procedures used to obtain, return, and to report malfunctions. (See Handbook M-41, parts 831, 841, and 842.)*
 - (4) *Issuance of special instructions to collector.*
 - (5) *Collectors' duties. (See Handbook M-41.)*

4. The case file includes a statement from the local NALC President and Letter Carriers showing that management failed to share the results of a unit review in advance preparation for the scheduled route count and inspection.

Contentions:

1. Management violated Sections 211.1 and 214 of the M-39 Handbook via Article 19 of the National Agreement by failing to conduct a proper unit and route review in advance preparation for the mail count and inspection scheduled for **[date]** at the **[Station/Post Office]**.
2. Management violated Section 211.1 of the M-39 Handbook via Article 19 of the National Agreement by failing to share the results of the unit review with the local NALC President, or designee, and the Regular Letter Carrier(s) serving the route(s), in advance preparation for the mail count and inspection scheduled to begin on **[date]** in the **[Station/Post Office]**.
3. Management was aware of the intended mail count and inspection as early as **[date]**.
4. Management had ample time prior to the mail count and inspection beginning to conduct the unit review but failed to conduct it and/or share the results with the local union and Letter Carriers.

Remedy (Block #19 on PS Form 8190):

1. That management be instructed not to implement route adjustments based on the data collected during the week of inspection at the **[Station/Post Office]**.
2. That management cease and desist violating Sections 211.1 and 214 of the M-39 Handbook via Article 19 of the National Agreement in the **[Station/Post Office]**.
3. That management conduct a unit and route review in accordance with Sections 211.1 and 214 of the M-39 Handbook.
4. That management properly share the results of the unit review with the local NALC President or designee and the Regular Letter Carrier(s) serving the route(s) that require adjustment before conducting the mail count and inspection process.
5. That each City Letter Carrier in the **[Station/Post Office]** be paid a lump sum of \$100.00 to serve as an incentive for future compliance.
6. That all payments associated with this case be made as soon as administratively possible, but no later than 30 days from the date of settlement.
7. That proof of payment be provided to **[NALC Official]** upon payment, and/or any other remedy the Step B team or an arbitrator deems appropriate.

Add the following issue statement, facts, contentions, and remedy request if we can prove the violation is repetitive:

Issue Statement:

Did management violate Article 15, Section 3.A of the National Agreement along with policy letter M-01517 by failing to comply with the prior Step B decisions or local grievance settlements in the case file, and if so, what should the remedy be?

Facts:

1. Article 15, Section 3.A of the National Agreement states in relevant part:

The parties expect that good faith observance, by their respective representatives, of the principles and procedures set forth above will result in resolution of substantially all grievances initiated hereunder at the lowest possible step and recognize their obligation to achieve that end.

2. M-01517 states in part:

Compliance with arbitration awards and grievance settlements is not optional. No manager or supervisor has the authority to ignore or override an arbitrator's award or a signed grievance settlement. Steps to comply with arbitration awards and grievance settlements should be taken in a timely manner to avoid the perception of non-compliance, and those steps should be documented.

3. Included in the case file are **[Arbitration Awards/Step B decisions/local grievance settlements, etc.]** in which management was instructed/agreed to cease and desist failing to conduct a proper unit and route review and share the results with the local NALC President, or designee, and the Regular Letter Carriers serving the routes in advance preparation for a mail count and inspection.

Contentions:

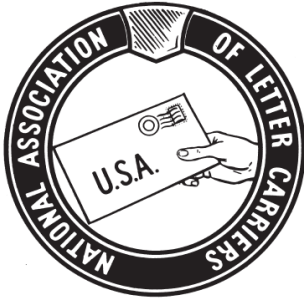
1. Management violated Article 15, Section 3.A of the National Agreement and M-01517 by failing to abide by the previous Step B decisions/local grievance settlements in the case file. When management violates contractual provisions despite being instructed/agreeing to cease and desist these violations, they have failed to bargain in good faith.
2. The Union contends that Management has had prior cease and desist directives to stop failing to conduct a proper unit and route review and share the results with

the local NALC President, or designee, and the Regular Letter Carriers serving the routes in advance preparation for a mail count and inspection.

3. The Union also contends that Management's actions are continuous, egregious and deliberate. The Union has included past decisions/settlements in the case file to support their claim.

Remedy:

1. That management cease and desist violating Article 15 of the National Agreement.
2. That Letter Carrier(s) [Name], [Name], and [Name] each be paid a lump sum of \$100.00 to serve as an incentive for future compliance.



National Association of Letter Carriers Request for Information

To: _____
(Manager/Supervisor)

Date _____

(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 M-39 Handbook via Article 19:

1. Copies of any and all correspondence from management to the local NALC branch regarding the route count and inspection which began on **[date]**.
2. Copies of any and all correspondence, emails and notifications between local management and the route inspection team/route inspectors.
3. A copy of the letter carrier work schedule for the week(s) of **[date]**.
4. A copy of the route count and inspection schedule for **[date]** through **[date]** at the **[Station/Post office]** Post Office.

I'm 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: _____
(Manager/Supervisor)

Date _____

(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,

Shop Steward

NALC

Request received by: _____

Date: _____