

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

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

Did management at the **[Station/Post Office]** violate Section 215.1 of the M-39 Handbook and Section 913 of the M-41 Handbook via Article 19 of the National Agreement by failing to post a notice at least 5 working days before the start of the count period, showing the schedule of the route count and inspection week and the proposed date(s) that city route(s) were scheduled to be inspected 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 conducted a mail count and inspection on Route(s) **[route #(s)]** at the **[Station/Post Office]** beginning on **[date]**.
2. Section 215.1 of the M-39 Handbook and Section 913 of the M-41 Handbook both require management to provide the appropriate advance notice to Letter Carriers at least 5 working days before a mail count and inspection begins. Section 215.1 of the M-39 Handbook states:

**215 Posting Notice of Scheduled Mail Count and Inspection**

**215.1 A notice must be posted at the delivery unit in advance of the scheduled mail counts and route inspections, showing the beginning date of the count for each route and the day and date each route is scheduled for inspection. This notice must be posted at least 5 working days before the start of the count period. If a decision is made to inspect on days other than the scheduled date, 1 day's advance notice must be given.**  
**(Emphasis Added)**

Section 913 of the M-41 Handbook states:

**913 Advance Notice**

**A notice giving schedule of a count week and proposed day of inspection for each route shall be posted at the delivery unit not later than 5 working days preceding start of count. One day's advance notice will be given if a decision is made to inspect on days other than the scheduled date.**  
**(Emphasis Added)**

3. The case file includes statements/interviews from multiple Letter Carriers verifying that a notice showing the schedule of the count week and day(s) of inspection was not posted at least 5 working days preceding the count period.

### **Contentions:**

1. Management violated Section 215.1 of the M-39 Handbook and Section 913 of the M-41 Handbook via Article 19 of the National Agreement by failing to post a notice showing the schedule of a count week and proposed day of inspection was not posted 5 working days preceding the count period.

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

1. That management cease and desist violating Section 215.1 of the M-39 Handbook and Section 913 of the M-41 Handbook via Article 19 of the National Agreement in the future.
2. That each Letter Carrier at the **[Station/Post Office]** be paid a lump sum of \$100.00 to serve as an incentive for future compliance.
3. 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.
4. 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.*

2. 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 post a notice showing the schedule of a count week and proposed day of inspection 5 working days preceding the count period.

### **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 post a notice showing the schedule of a count week and proposed day of inspection 5 working days preceding the count period.

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 and M-41 Handbooks 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.

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,

\_\_\_\_\_  
Shop Steward  
NALC

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

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,

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

Shop Steward  
NALC

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