



STEP B DECISION

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|------------------------|----------------------------|----------------------------|
| Step B Team: | Decision: | RESOLVE |
| USPS: | USPS Number: | G11N-4G-C 1745 5724 |
| Alex Zamora | Grievant: | Greg Laskowski |
| NALC: | Branch Grievance Number: | 421-343-17 |
| Karrie Kimbrell | Branch: | 421 |
| | Installation: | San Antonio |
| Deciding District: | Delivery Unit: | Highland Hills |
| Rio Grande | State: | Texas |
| | Incident Date: | 03/30/2017 |
| | Informal Step A Initiated: | 04/13/2017 |
| | Formal Step A Meeting: | 05/05/2017 |
| USPS Formal A: | Date Received at Step B: | 05/12/2017 |
| Arnulfo Jasso | Step B Decision Date: | 05/31/2017 |
| NALC Formal A: | Issue Code: | 08.4400 |
| Kathrine Ruffo | NALC Subject Code: | 600115 |

ISSUE:

Did management violate the National Agreement by failing to pay the grievant at the penalty overtime rate in conjunction with sick leave requested? If so, what is the remedy?

DECISION:

The Dispute Resolution Team (DRT) mutually agreed to RESOLVE this grievance. The case file did evidence a violation. The grievant (EIN 02095524) is awarded a lump sum payment of \$90.00; payment was completed at Step B. See DRT Explanation.

EXPLANATION:

The grievant submitted PS Form 3971 requesting 4.48 hours of sick leave that he used to attend a doctor's appointment during the day on 03/13/2017. Upon submitting the sick leave request, management discovered only 2.27 hours of the leave would go through in the system which gave the grievant at total of 10 hours in a pay status. The grievance was filed for the remainder of the overtime owed to the grievant for the full sick leave submission.

The union contends management failed to credit leave and pay total hours due to the grievant on 03/13/2017. The requested and was approved for 4.29 minutes of sick leave. He worked "on the clock" for 7 hours and 8 minutes for a total of 11. 37 minutes in a "pay status." Being in a paid status includes hours of actual work plus paid leave. Management tried to input the correct amount of leave but only 2.87 units would go through.

Management contends the system defaulted to 2.87 units of sick leave and wouldn't take the full amount. Hours worked were paid. It was TACS that defaulted to 2.87 hours of sick leave.

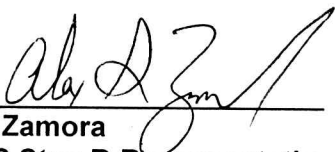
The **DRT** determined that there was a violation. The file evidenced the grievant was approved for 4.48 hours of sick leave. Article 8.4 from the JCAM states the following in relevant part:

***Postal Overtime.** All bargaining unit employees are paid postal overtime for time spent in a pay status in excess of 8 hours in a service day and/or in excess of 40 hours in a service week. Hours "in pay status" include hours of actual work and hours of paid leave.*

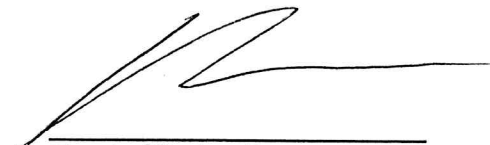
Applicable contract language from the Handbook F-21, Time and Attendance, Section 235.14 is shown below in relevant part:

235.14 Paid leave hours are included with work hours in determining the entitlement to penalty overtime.

In order to facilitate the payment due at the penalty rate to the grievant, the DRT mutually agreed to pay the remedy in the form of a lump sum with no change to his sick leave balance.



Alex Zamora
USPS Step B Representative


Karrie Kimbrell
NALC Step B Representative

Grievance File Contents:

PS Form 8190

Union Contentions

Management Contentions

Screen Copy TACS Data

Request to See Steward

Request for Information

PS Form 3971

Grievant Statement

Employee Everything Report

Time Limit Extension

Table of Contents

Formal A Meeting Request

cc: Area Manager of Labor Relations, Southern Area
NALC NBA, Region 10
District Manager, Rio Grande District
Manager, Human Resources, Rio Grande District
Manager, Labor Relations, Rio Grande District
Postmaster
NALC Branch President
USPS Formal A Representative
NALC Formal A Representative
DRT File

Payout Request History for Grievance

17455724

[HELP](#)

no data

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| <p><u>Not Processed By Payroll</u></p> <p><input checked="" type="checkbox"/> New (Not yet sent to Payroll)</p> <p><input checked="" type="checkbox"/> Pending (Not back from Payroll)</p> <p><input checked="" type="checkbox"/> Submitted (Received acknowledgment from Payroll, awaiting processing)</p> | <p><u>Payroll Processed</u></p> <p><input checked="" type="checkbox"/> Paid (Back from Payroll without error)</p> <p><input checked="" type="checkbox"/> Payroll Error (Back from Payroll with error)</p> |
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New, Pending and Submitted Requests

| Status | GATS Code | App Seq | Request Amount | Last Name | First Name | SSN | Relevant PP | Requested By | Date Requested | |
|-------------------------|-----------|---------|----------------|-----------|------------|------|---------------|--------------|----------------|----|
| New | | 2 | \$90.00 | LASKOWSKI | GREGORY | 4050 | PP6 FY2017 | KBY9N0 | 05/31/2017 | De |
| Total New: \$90.00 | | | | | | | | | | |
| Total Pending: \$0.00 | | | | | | | | | | |
| Total Submitted: \$0.00 | | | | | | | | | | |

Paid and Errors from Finance

| Status | Error or Warning | App Seq | Request Amount | Amount Paid | PP Paid | Last Name | First Name | SSN | Relevant PP | Requested By | Date Requested |
|---------------------|------------------|---------|----------------|-------------|---------|-----------|------------|-----|-------------|--------------|----------------|
| No Data | | | | | | | | | | | |
| Total Paid: \$0.00 | | | | | | | | | | | |
| Total Error: \$0.00 | | | | | | | | | | | |