

# RESOLVE



## STEP B DECISION

**Step B Team:**

USPS:  
**Rose Barner**  
 NALC:  
**Jim Ruetze**

District:  
**Rio Grande**

Decision:  
 USPS Number:  
 Grievant:  
 Branch Grievance Number:  
 Branch:  
 Installation:  
 Delivery Unit:  
 State:  
 Incident Date:  
 Informal Step A Meeting:  
 Formal Step A Meeting:  
 Received at Step B:  
 Step B Decision Date:  
 Issue Code:  
 NALC Subject Code:

**RESOLVE**  
**G16N-4G-C 2041 7340**  
**Class Action**  
**421**  
**421-1021-20**  
**San Antonio**  
**Laurel Heights Station**  
**TX**  
**08/15/2020-08/21/2020**  
**08/29/2020**  
**No meeting**  
**09/23/2020**  
**10/21/2020**  
**08.5450**  
**120051**

**ISSUE:** Did management violate Articles 8.5.D and 5.G of the National Agreement when working non-Overtime Desired List (ODL) and Work Assignment (WA) carriers on and off their routes by improperly assigning overtime during the week of August 15-21, 2020? If so, what is the remedy?

**DECISION:** The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. The case file evidenced a violation of the National Agreement. The letter carriers in the table below are compensated in the amounts by their names. The non-ODL carrier improperly assigned to work overtime was compensated an additional 100% of their straight time rate. The ODL carrier in the table was compensated for the missed overtime opportunities at the rate of pay they would have earned if they had performed the work. Management shall assign overtime consistent with the provisions of Article 8.5. All payments associated with these remedies have been processed at Step B through GATS. See the DRT Explanation below.

CARRIER	EIN	REMEDY
Gonzales-Luna, E	04438379	\$18.00
Roose, AJ	04235187	\$26.99

**EXPLANATION:** This grievance concerns the assignment of overtime among full-time letter carriers at Laurel Heights Station in San Antonio, Texas during the week of August 15-21, 2020. During the week cited, management assigned work to a WA carrier off their assignment on August 15 while ODL carriers were available at the regular overtime rate.

**The union** contended at Formal Step A management violated Article 8.5.D and 8.5.G of the National Agreement and M-00884 when they did not maximize the ODL and mandated non ODL/WA carriers to carry overtime on their own routes and carry auxiliary assistance on other

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routes during the work week of August 15-21, 2020 prior to fully utilizing the ODL and City Carrier Assistants (CCAs).

The union requested ODL carriers be awarded overtime at the appropriate rate, and an award of 100% at the straight rate of pay for the aggrieved WA carrier.

**Management** did not meet at Formal Step A; no contentions were included in the file.

The **DRT** reviewed the case file and determined there was a violation of Article 8.5 on August 15, 2020 when WA carrier Gonzales-Luna worked off-assignment overtime. The assignment of overtime to non-ODL carriers off their assignments or on a non-scheduled day is discussed on page 8-15 of the JCAM:

*Before requiring a non-ODL carrier to work overtime on a non-scheduled day or off his/her own assignment, management **must seek to use a carrier from the ODL, even if the ODL carrier would be working penalty overtime** (Article 8.5.D). [Emphasis Added]*

For Work Assignment carriers, the following JCAM language from page 8-22 addresses the assignment of overtime off their assignment or on a non-scheduled day:

*The Work Assignment List was established for full-time letter carriers who only want to work overtime on their own assignment on regularly scheduled days. Signing up for the Work Assignment overtime does not create any entitlement or obligation to work overtime on a non-scheduled day. For purposes of overtime on a non-scheduled day or on other than their own assignment, carriers on the Work Assignment list are treated exactly the same as any other full-time carriers not on the Overtime Desired List—They may only be required to work overtime under the provisions of Article 8.5.D. [Emphasis in Original].*

Based on its review of the case file, the DRT agreed to the decision and remedy above.

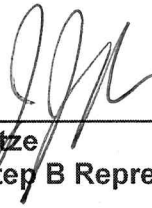


**Rose Barner**  
**USPS Step B Representative**

cc:  
LR Manager, Southern Area  
NALC Region 10 NBA  
Rio Grande District HR Manager  
Rio Grande District LR Manager  
USPS Formal Step A Michael R. Moreno

**Grievance File Contents**

PS Form 8190  
Union Contentions  
Copies of Formal Step A Appeal Envelope  
Employee Moves Report  
Prior Settlements  
Donald Barrett Award  
ODL Signup Sheet  
PS Forms 3996



**Jim Ruetze**  
**NALC Step B Representative**

NALC Branch President  
NALC Formal Step A Rigoberto Hidalgo  
Manager, Rio Grande District  
Postmaster  
DRT File

Request for Information  
Request for Formal Step A Meeting  
Performance/Analysis Report  
Daily Worksheets  
Time Limit Extension (Declined)  
Management Notes of Availability  
Request for Informal Step A Meeting  
Weekly Schedule

**Payout Request History for Grievance**  
**20417340**

[HELP](#)

no data

<p><b><u>Not Processed By Payroll</u></b></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><b><u>Payroll Processed</u></b></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		1	\$18.00	GONZALEZ-LUNA	EMANUEL	3681	PP18 FY2020	YSZ1BC	10/22/2020	<input type="button" value="Details"/>
New		1	\$26.99	ROOSE	ALLEN	8544	PP18 FY2020	YSZ1BC	10/22/2020	<input type="button" value="Details"/>
Total New: \$44.99										
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											