

## DALLAS DISTRICT DISPUTE RESOLUTION TEAM

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# RESOLVED



### STEP B DECISION

Step B Team: Kimetra Lewis  
James Chandler

District: Rio Grande  
Deciding District: Dallas

Formal Step A Parties  
NALC: Homer Hernandez  
USPS: Stephanie Olivarez

Decision: RESOLVE  
USPS Number: G11N-4G-C 15093186  
Grievant: Class Action  
Branch Grievance Number: 421-106-15  
Branch Number: 421  
Installation: San Antonio  
Delivery Unit: Nimitz  
State: Texas  
Incident Date: 02/07/2015  
Date Informal Step A Initiated: 02/11/2015  
Formal Step A Meeting Date: 02/19/2015  
Date Received at Step B: 02/27/2015  
Step B Decision Date: 03/12/2015  
USPS Issue Code: 19.0000  
NALC Issue Code: 505000  
Original Step B Received Date:  
Date Sent To Assisting Team:

**ISSUE:** Did Management violate Articles 3, 15 and 19 of the National Agreement when Management failed to provide carriers with an accountable clerk for clearing purposes and when Management failed to comply with Step B decision, G06N-4G-C 12236307? If so, what is the appropriate remedy?

**DECISION:** The Dispute Resolution Team has agreed to **RESOLVE** this grievance. The station manager will have an inherent responsibility to provide the necessary staffing to clear all city letter carriers of arrow keys and all accountable mail prior to the carriers' end of tour. All work hours are compensable, clearing accountable mail is a line 14 (1838) function which requires the employee to remain on the clock until such time as they have completed all office duties as assigned.

**EXPLANATION:** On February 11, 2015, the Union initiated a class action grievance alleging a potential violation occurred on February 7, 2015 when carriers were instructed by Management to leave their accountable mail on the supervisor's desk in the absence of a clearing clerk. The Union contends Management's actions are in violation of numerous rules and regulations of the Postal Service and fails to comply with a previous Step B decision on the same issue. The Union contends this is an on-going issue at the Nimitz Station. The Union contends the matter had previously been addressed by APWU and resolved with Management agreeing to provide a clearing clerk to preclude any future instances from

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occurring. For Management's failure to provide the carriers with a clearing clerk, the Union is seeking one hour of overtime pay for each carrier within the Nimitz Station.

Management contends the supervisor made a conscious effort when receiving the keys and any accountables to count one key for one carrier and store the items in the accountable cage. Management contends the supervisor's instructions were clear to the carriers in instructing them to place them on her desk and not clearing themselves. Management contends in reviewing the arrow key inventory all keys were accounted for and accountable items were stored in the accountable cage and cleared the following morning of 02/08/2015 by Clerk Holguin. No items have been reported as missing.

M-39 Section 116.1 states the following:

**116.1 Scheduling clerks in a Delivery Unit**

Schedule distribution clerks in a unit with decentralized distribution so that service standards will be met and an even flow of mail will be provided to the carriers each day throughout the year. Schedule the accountable clerk to avoid delaying the carriers' departures in the morning and for clearance of carriers on their return of the office.

M-39 Section 127.c states the following:

**127 Office work when Carriers Return from Route**

c. See that clerks are available to check in Accountable items as efficiently and promptly as possible.

M-41 Section 43 states the following:

**43 Clearance for Accountable Items**

**431 Keys**

Turn in mail keys exchange for assigned key check or signature clearance.

There is no dispute among the parties that the keys and accountable items were not cleared on February 7, 2015 by a clearing clerk. The Step B decision clearly stated that the clearance of accountable items is to be done on the clock. The rules and regulations of the Postal Service identify whose responsibility it is to properly staff the unit to get this accomplished. Management stated that all keys and accountable items were accounted for on the next day. The Union requested compensation for those carriers instructed to leave their accountable items at the supervisor's desk. Although several carriers stated they cleared themselves; there was no evidence presented within the grievance file which led the DRT to believe that the carriers were instructed to end tour before getting their accountable items cleared; therefore, the DRT could not agree with the remedy sought by the Union.


Management has stated that clerk staffing has been made available in the afternoon so that carriers will have their daily accountables cleared as they check in upon return from

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their route. Based upon the evidence presented within the grievance file, the DRT agreed with the decision as cited above.



Kimetra Y. Lewis  
NALC Step B Representative



James Chandler  
USPS Step B Representative

cc: Rio Grande District

Contents:

- PS Form 8190
- Request for Formal Step A Meeting
- Request for Documentation and Steward Time to Investigate a Possible Grievance
- NALC Formal Step A Contentions
- APWU Grievance Settlement
- Step B Decision, G06N-4G-C 12236307
- Accountable Mail Matter Received for Delivery
- Statements from Carriers
- NALC Requested Remedy
- USPS Formal Step A Contentions
- End.