

DALLAS DISTRICT DISPUTE RESOLUTION TEAM

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RESOLVED



STEP B DECISION

Step B Team: Kimetra Lewis
Schenequa Neal

District: Rio Grande
Deciding District: Dallas

Formal Step A Parties
NALC: James Kimbrell
USPS:

Decision: RESOLVE
USPS Number: G11N-4G-C 15052041
Grievant: Class Action
Branch Grievance Number: 421-992-14
Branch Number: 421
Installation: San Antonio
Delivery Unit: Serna
State: Texas
Incident Date: 11/07/2014
Date Informal Step A Initiated: 12/20/2014
Formal Step A Meeting Date: No Meeting
Date Received at Step B: 01/08/2015
Step B Decision Date: 01/16/2015
USPS Issue Code: 19.0000/17.3320
NALC Issue Code: 600207/505000
Original Step B Received Date:
Date Sent To Assisting Team:

ISSUE:

- 1) Did Management violate Articles 3, 15 and 19 of the National Agreement by requiring employees to sign the Serna Station Standard Operating Procedures (SOP) for Letter Carriers? If so, what is the appropriate remedy?
- 2) Did Management violate Articles 17 and 31 of the National Agreement when Management failed to provide requested documentation? If so, what is the appropriate remedy?

DECISION: The Dispute Resolution Team (DRT) has agreed to RESOLVE this grievance.

- 1) A violation of Article 19 occurred. For the violation, Management must provide the Union with the copies of all signed SOPs and discontinue the practice of requiring employees to sign unapproved locally developed forms.
- 2) A violation of Articles 17 and 31 occurred. For the violation, Management must adhere to the provisions of Articles 17 and 31 as cited below in the EXPLANATION section.

EXPLANATION: The Union contends Management violated Articles 15, 17, 19 and 31 of the National Agreement, M-01334, M-1302, and Step B decision, G11N-4G-C 13247654 by requiring carriers to sign and print their names on locally developed forms not approved in accordance with the Administrative Support Manual. The Union contends management is

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requiring carriers to sign and print their names on a locally developed Standard Operating Procedures (SOP) packet pertaining to the Serna Station. The Union contends carriers are being instructed that failure to do so would constitute failure to follow instructions and may result in disciplinary action. The Union further contends that management violated Articles 15, 17 and 31 by not providing the union with all requested documentation.

Management provided no written contentions.

Enclosed within the grievance file was a copy of the Serna Station's SOP which was signed by Employee James Kimbrell on October 7, 2014. The SOP notes that the SOP was issued by Debra Jackson and witnessed by another person on October 7, 2014. It was stated by the Union that carriers were being required to sign the SOP packet as a working condition with the threat of discipline if they failed to do so. Numerous agreements between the Postal Service and the Union have stated that this action is inappropriate; some of which were referenced by the Union.

In the Step B decision for Grievance #G11N-4G-C 13247654, the DRT agreed to the following:

"While management may request the voluntary participation of employee, management may not require employees to sign-in at meetings to attest to their attendance. Similarly, management may request the voluntary participation of employee to sign such logs as the Red Plum; management may not require employees to sign."

The same thing applies in this matter at hand. Management may request the voluntary participation of an employee to sign the SOP; however, management may not require the employees through instructions to sign the SOP.

In regards to the second issue, the record of the grievance file indicates that on November 18, 2014, the Union made a request to Management for the following items:

- Copy of all Standard Operating Procedure (SOP) packets issued to carriers since 11/07/2014
- Daily copy of Employee Moves Report since 11/07/2014
- Time to interview any carrier who was instructed to sign a SOP packet at Serna Station since 11/07/2014.

The request form is signed as received by a member of management. The Union contends all that was provided was the Employee Moves Report dealing with MODS code 721. None of the SOP packets were provided as requested; the only one the Union had for submission into the grievance file was the one issued to the steward.

The provisions of Articles 17 and 31 provide Management with their obligation to information requests from the Union.

Article 17.3 of the National Agreement states in part the following:

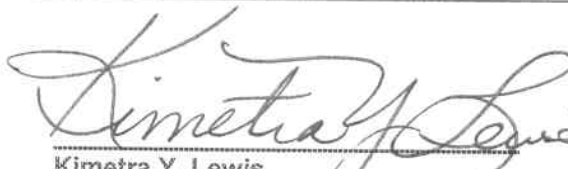
17.3 Section 3. Rights of Stewards

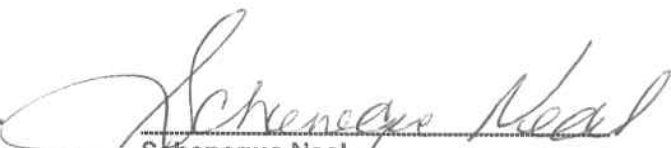
The steward, chief steward or other Union representative properly certified in accordance with Section 2 above may request and shall obtain access through the appropriate supervisor to review the documents, files and other records necessary for processing a grievance or determining if a grievance exists and shall have the right to interview the aggrieved employee(s), supervisors and witnesses during working hours. Such requests shall not be unreasonably denied.

Article 31.3 of the National Agreement states in part the following:

31.3 Section 3. Information

The Employer will make available for inspection by the Union all relevant information necessary for collective bargaining or the enforcement, administration or interpretation of this Agreement, including information necessary to determine whether to file or to continue the processing of a grievance under this Agreement. Upon the request of the Union, the Employer will furnish such information, provided, however, that the Employer may require the Union to reimburse the USPS for any costs reasonably incurred in obtaining the information.


Kimetra Y. Lewis
NALC Step B Representative


Schenequa Neal
USPS Step B Representative

cc: Rio Grande DRT

Contents:

- PS Form 8190
- Request for Formal Step A Meeting
- Extension Agreement
- NALC Formal Step A Contentions
- Information Request
- Step B Decision
- Employee Moves Report
- ASM Provisions
- M-00852
- M-00328
- M-00015
- Serna Station SOP
- End.