



STEP B DECISION

Step B Team:	Decision:	RESOLVED
NALC – Reece E. Cox	USPS Number:	G11N-4G-C 14037228
USPS – Deborah J. Mejías	Grievant:	Class Action
	Branch Grievance Number:	421-1030-13
	Branch:	421
	Installation:	San Antonio
	Station:	Lockhill
District:	State:	Texas
Rio Grande	Incident Date:	11/23/13
	Informal Step A:	12/06/13
	Formal Step A Meeting:	12/19/13
	Received at Step B:	01/02/14
Step A Designee:	Step B Decision Date:	01/07/14
USPS – Ayda Alderete	Issue Code:	19.2000
NALC – Richard Gould	NALC Subject Code:	100103
	Original Step B Received Date:	12/23/13
	Date sent to Assisting Team:	12/31/13

ISSUE:

Did management violate Article 3, 15 and 19 (M-32 Handbook) of the National Agreement by (1) instructing carriers to move to the wrong MOD Function for safety/informational stand-up meetings; and, (2) by failing to comply with prior Step B decisions and Step A Settlements? If so, what is the proper remedy?

DECISION:

The Dispute Resolution Team has **RESOLVED** this grievance finding the file fails to support Management's decision to have carriers move to MOD Function 7820 on Saturday November 23, 2013 in the Lockhill Station. Management will either make the corrections for Saturday, November 23, 2013, by changing the 7820 (training) hours to the correct MOD Function of 7220 for all carriers present that day (that were incorrectly placed in 782); or, the office data for that day will not be used in any *future* evaluation or adjustment of any routes for which the carriers were instructed to improperly move to training on November 23, 2013 in Lockhill Station. Management will ensure in the future that all carrier clock rings for stand-up talks are accurately recorded in the proper function.

BACKGROUND:

The Union at Formal Step A contends that management is trying to take away from the legitimate office time of carriers by improperly instructing them to clock onto MOD Function 782, for weekly stand-up talks, which is not classroom training. On the day in question the carriers were called together for a stand-up service talk. The Union contends that it was a service talk that should be coded 722 as a recurring office function. The Union has included a statement from Conrad Gonzalez, the AM supervisor. Asked - what kind of training was conducted on 11/13/13 – he wrote: ***"It was more of a meeting"***. Asked – what kind of information were the carrier given during the meeting – he wrote: ***"Change start time, about performance, I can't remember what else"***.

Management at Formal Step A responds they did have to violate Article 3, 15 and 19 when training was given on MSP reports along with a talk to the carriers about their performance. The training had to do with MSP reports, variances and how to read and understand the reports. The employees are getting this report daily for their review and explanation. Management claims that it was actual training properly assigned to code 782. As proof, management has included a copy of a **“City Carrier Street Efficiency Report”** dated 12/17/2013 for Route 30051 – Cardenas, B. All the employees were paid for the training and documentation was required. Since the union and employees no longer do sign in sheets, clocking to the operation is the only way to track that the training took place.

EXPLANATION:

This dispute concerns the use of the correct MOD Function Code for the meeting that took place on Saturday, November 23, 2013. The Employee Moves Report shows that the carriers were charged with approximately 26 minutes on Code 782.

Management states that the carriers were given training on how to read MSP reports and the training was documented. Management did not provide any of this documentation that is mentioned, nor do they explain how learning to read the MSP reports was related to the carrier's duties. There is no statement from the Manager that provided the “training” or any supervisor that was there that day. Management does acknowledge in the Step A contentions that the meeting also involved talking *“to the carriers about their performance”* since the office *“was the worst performer on the street in the city”* the day before.

In addition, there are *several* Step B decisions in the file concerning grievances where management in the same office had instructed carriers to improperly code their clock rings as training (782) for weekly service talks that should have been coded 722. The most recent decision (G11N-4G-C 13229115, Local: 421-463-13, 08/14/2013) went into considerable detail in explaining the various functions that were to be properly recorded as code 722.

With that said, the file fails to support Management's decision to have carriers move to training operation 782 on November 23, 2013 at the Lockhill Station. Although a violation has been proven in the instant case, the Union has failed to prove these moves have impacted any route adjustments or that any carrier has suffered any financial loss or burden. Consequently, the Union's requested remedy of \$250 is not supported by the file.

Therefore, the Step B team has resolved this grievance by agreeing either the hours in 782 on November 23, 2013 will be changed to the proper operation, or the clock ring data for that day will not be used in any future evaluation or adjustment for those routes in Lockhill Station that have carriers on the training operation on November 23, 2013 – Management's choice. [Any routes in this office on this date that do not have a carrier in the training operation 7820 will not be affected by this decision].



Deborah J. Mejias 01/07/14
USPS TEAM MEMBER Date



Reece E. Cox 01/07/14
NALC TEAM MEMBER Date

cc: NBA Kathy Baldwin and the Rio Grande Step B Team

Grievance File: PS-8190s, Union's contentions, Management Contentions, Gonzalez Statement, Carrier Attest Sheet, Employee Moves Report, prior Step B decisions, prior Step A settlements, Informal Step A Document, Request for a Formal Step A meeting, Steward Appointment.