



RESOLVE



STEP B DECISION

Step B Team:	Decision:	RESOLVE
USPS:	USPS Number:	G16N-4G-C 2037 5617
Rose Barner	Grievant:	Class Action
	Branch Grievance Number:	421-973-20
NALC:	Branch:	421
Jim Ruetze	Installation:	Eagle Pass
	Delivery Unit:	Main Post Office
District:	State:	TX
Rio Grande	Incident Date:	08/08/2020
	Informal Step A Initiated:	08/21/2020
	Formal Step A Meeting:	08/26/2020
	Date Received at Step B:	08/31/2020
	Step B Decision Date:	09/17/2020
	USPS Issue Code:	41.1110
	NALC Subject Code:	504216

ISSUE:

Did management violate Article 41.1.A.2 of the National Agreement by failing to provide the union with a copy of the PS Form 1723 for Letter Carrier Mary Venegas in advance of the beginning of her 204b detail? If so, what is the remedy?

DECISION:

The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. In accordance with the Step 4 settlement of grievance H4N-4U-C 26041 (M-00755) copies of Form 1723 should be provided to the union in advance of the detail or modification thereto. See the DRT Explanation below.

EXPLANATION:

Mary Venegas is a city carrier assigned to the Main Post Office in Eagle Pass, Texas. Documentation of the PS Form 1723, Assignment Order, in the file indicates that from August 8 through September 4, 2020 Venegas was on higher level as Supervisor, Customer Service. Another 1723 shows the entire order was cancelled and two individual orders were initiated which shows her detailed as a supervisor on August 12 and August 14, respectively.

The union filed this grievance to protest management's failure to provide the PS Form 1723 to the union in advance of the 204b detail. Unable to achieve a resolution through the Informal and Formal A steps of the grievance procedure, the union appealed to Step B.

The union contends management consistently fails to provide PS Form 1723 in advance to the local union. Also, management fails to provide a separate PS Form 1723 when 204B Venegas steps down from 204B to letter carrier. The union contends management is aware of the situation and still does not address it. The union asserts the local union did receive a copy of Venegas 1723 for the higher level assignment that began on 08/08/2020; however, a separate 1723 was not provided to the local union when she stepped down from higher level back to letter carrier assignment.

The union requests management cease and desist violating Article 41.1.A.2 of the National Agreement. The union requests management provide the local union a copy of the PS Form 1723 for letter carriers working as 204B at least one day in advance of the beginning of and/or whenever a change occurs to the higher level details whenever possible.

Management contends a cancelled PS Form 1723 was provided to the then shop steward Gilberto Martinez. His inability to find the cancellation falls on the union not management. Management contends a copy of the cancelled PS Form 1723 was provided to the new shop steward Jorge Valdez upon request. Manager further contends Supervisor Ledesma stated he had provided a cancellation of PS Form 1723 prior to returning Venegas to the route.

The DRT reviewed the case file and determined copies of PS Form 1723 should be provided to the union in advance of the detail as well as notification of any changes made during the employee assignment start date and the assignment end date. The following language from the Step 4 settlement of grievance H4N-4U-C 26041 (M-00755) concerning the timing of providing the PS Form 1723 states:

The question in this grievance is whether management must provide copies of Form 1723 to the local union in advance of the detail it reflects.

During the discussion, we mutually agreed that the following would represent a full settlement of this case.

In accordance with Article 41, Section 1.A.2, of the National Agreement, Form 1723 shall be provided to the union at the local level showing the beginning and ending times of the detail. Such copies of Form 1723 should be provided to the union in advance of the detail or modification thereto.

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



Rose Barner
USPS Step B Representative



Jim Ruetze
NALC Step B Representative

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cc:

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Rio Grande District HR Manager	Manager, Rio Grande District
Rio Grande District LR Manager	Postmaster
Management Formal A Jose Aguilera	DRT File

Grievance File Contents

PS Form 8190	Carrier ODL
Formal Step A Meeting Request	PS Form 1723
Informal Step A	Carrier Daily Performance Report
JCAM Excerpt	Employee Everything Report
Carrier Schedule	Employee Moves Report
Union Contentions	Overtime Alert Report
Management Contentions	Union Additions and Corrections