



**STEP B DECISION**

<b>Step B Team:</b>	Decision:	<b><u>RESOLVED</u></b>
Houston District – AO's	USPS Number:	G11N-4G-C 14284971
	Grievant:	Class Action
USPS – Deborah J. Mejías	Branch Grievance Number:	421-594-14
NALC – Reece E. Cox	Branch:	421
	Installation:	San Marcos
	Delivery Unit:	MPO
<b>District Grieving:</b>	State:	Texas
Rio Grande	Incident Date:	07/12/14
	Informal Step A:	08/12/14
	Formal Step A:	08/26/14
	Date Received at Step B:	09/12/14
<b>Step A Designees:</b>	Step B Decision:	09/18/14
USPS – Gerald Laneaux	Issue Code:	08.5410
NALC – Edward Quinonez	NALC subject code:	120051
	<b>Original Step B Received Date:</b>	09/04/14
	<b>Date sent to Assisting Team:</b>	09/10/14



**ISSUE:**

Did management violate Article 8 by mandating non-ODL carriers to carry overtime off their assignments before the CCA and ODL carriers had been maximized? If not, what is the proper remedy?

**DECISION:**

The Step B team has **RESOLVED** this grievance finding sufficient evidence of a violation in the instant case. The following carriers will be paid a one-time, lump-sum in the amounts indicated. The Step B team will enter the amount in GATS.

EID	Name	Amount	EID	Name	Amount	EID	Name	Amount
01948392	Brashears, J.J.	\$39	02615845	Keys, S.L.	\$20	03453376	Suarez	\$115
02141007	Cain, J.D.	\$24	03167660	Loyd, J.A.	\$76	02177901	Trelles	\$84
03660409	Calderon	\$92	02215750	Quinonez	\$23	02441829	Vega	\$130
02123533	Folster, G.S.	\$25	02201151	Romero	\$104			

**BACKGROUND:**

Union at Formal Step A contends management violated Article 8 by mandating non-ODL carriers to work overtime off their assignments while CCA and ODL carriers were available for the work. This resulted in non-ODL carriers being forced to work overtime in violation of Article 8.

Management met at the Formal Step A, but failed to provide documents or contentions to the file.

**EXPLANATION:**

Without any contentions from Management the union's claims go unchallenged. The file shows that non-ODL carriers *were* mandated to work overtime *off* of their regular assignments and there were more than sufficient CCA and ODL carriers available to cover the time. Without some type of explanation from management it is unknown why they made the decision to force the non-ODL carriers to work off their assignments.

**JCAM (2014) Page 8-17**

**Mandatory Overtime.** One purpose of the Overtime Desired List is to excuse full-time carriers not wishing to work overtime from having to work overtime. Before requiring a non-ODL carrier to work overtime on a nonscheduled day or off his/her own assignment on a regularly scheduled day, management must seek to use a carrier from the ODL, even if the ODL carrier would be working penalty overtime.

Therefore, based on the file, the Step B team has resolved this grievance. There were sufficient CCA and ODL carriers available to cover the overtime the non-ODL carriers were mandated to work; and, Management failed to provide an explanation for forcing them to do so in this particular case. Therefore, the Step B team has resolved this grievance as stated in the decision above.

  
\_\_\_\_\_  
Reece E. Cox                      09/18/14  
NALC TEAM MEMBER              Date

  
\_\_\_\_\_  
Deborah J. Mejias                      09/18/14  
USPS TEAM MEMBER              Date

cc: NBA Kathy Baldwin – The original file and decision returned to the originating Step B team for further distribution

Contents: File contains a complete Table of Contents