



STEP B DECISION

Step B Team:	Decision:	RESOLVED
Houston District – AO's	USPS Number:	G11N-4G-C 14314648
	Grievant:	Class Action
USPS – Deborah J. Mejias	Branch Grievance Number:	421-758-14
NALC – Reece E. Cox	Branch:	421
	Installation:	San Marcos
	Delivery Unit:	MPO
District Grieving:	State:	Texas
Rio Grande	Incident Date:	08/30/14
	Informal Step A:	09/20/14
	Formal Step A:	None Held
	Date Received at Step B:	10/20/14
Step A Designees:	Step B Decision:	10/23/14
USPS – Gerald Laneaux	Issue Code:	08.5410
NALC – Edward Quinonez	NALC subject code:	120051
	Original Step B Received Date:	10/06/14
	Date sent to Assisting Team:	10/16/14

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	\$14	02126521	Iten	\$7	02252350	Medina	\$10
02141007	Cain	\$7	02615845	Keys	\$61	03453376	Suarez	\$78
03660409	Calderon	\$181	02077022	Lantigua	\$7	02039354	Wheeler	\$20
02123533	Folster	\$43	03167660	Loyd	\$13			

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 at Formal Step A failed to meet or provide documents and contentions to the file.

EXPLANATION:

Without any contentions from Management the union's claims go unchallenged. The file shows that non-ODL and WAO carriers *were* forced to work overtime *off* of their regular assignments and there were CCA and ODL carriers available that were not utilized prior to mandating. 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 in this particular case.

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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.

While the clockrings indicate that non-ODL carriers worked overtime *on* their regular assignments, the file is lacking any PS Form 3996s to show how much time if any was requested and/or authorized by management. Therefore, the file lacks evidence to support a violation for non-ODL carriers working overtime on their *own* assignment(s).

In addition, there were not sufficient CCA and ODL carriers *available* to cover **all** the overtime the non-ODL and WAO carriers were mandated to work off their assignments.

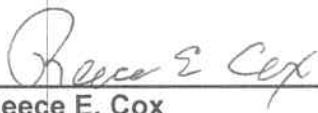
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8.5.D If the voluntary "Overtime Desired" list does not provide sufficient qualified people, qualified full-time regular employees not on the list may be required to work overtime on a rotating basis with the first opportunity assigned to the junior employee.

Mandatory Overtime...However, if the Overtime Desired List does not provide sufficient qualified fulltime regulars for required overtime, Article 8.5.D permits management to move off the list and require non-ODL carriers to work overtime on a *rotating basis* starting with the junior employee. This rotation begins with the junior employee at the beginning of each calendar quarter.

As a result, the file indicates that to cover all the assignments it was necessary to require *some*, but not all of the non-ODL and WAO carriers to work overtime off assignment.

Therefore, the Step B team has resolved this grievance as stated in the decision above which reflects the time the non-ODL and WAO carriers were improperly mandated to work off of their regular assignments when there were ODL carriers available to cover the time.


Reece E. Cox 10/23/14
Date

NALC TEAM MEMBER


Deborah J. Mejias 10/23/14
Date

USPS TEAM MEMBER

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

Payout Request History for Grievance
14314648

[HELP](#)

no data

<p><u>Not Processed By Payroll</u></p> <p><input checked="" type="checkbox"/> New (Not yet sent to Payroll)</p> <p><input checked="" type="checkbox"/> Pending (Not back from Payroll)</p> <p><input checked="" type="checkbox"/> Submitted (Received acknowledgment from Payroll, awaiting processing)</p>	<p><u>Payroll Processed</u></p> <p><input checked="" type="checkbox"/> Paid (Back from Payroll without error)</p> <p><input checked="" type="checkbox"/> Payroll Error (Back from Payroll with error)</p>
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New, Pending and Submitted Requests

Status	GATS Code	App Seq	Request Amount	Last Name	First Name	SSN	Relevant PP	Requested By	Date Requested	
New		2	\$7.00	CAIN	JAMES	7439	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$7.00	ITEN	DAVID	0225	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$7.00	LANTIGUA	PEDRO	8345	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$10.00	MEDINA	JOSE	7770	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$13.00	LOYD	JEFFREY	0005	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$14.00	BRASHEARS	JEREMY	1557	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$20.00	WHEELER	ALICIA	8258	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$43.00	FOLSTER	GREGORY	9372	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$61.00	KEYS	STACEY	9904	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$78.00	SUAREZ	MARIA	8960	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
New		2	\$181.00	CALDERON	PRUDENCIO	3454	PP19 FY2014	KNN888	10/23/2014	<input type="button" value="Data"/>
Total New: \$441.00										
Total Pending: \$0.00										
Total Submitted: \$0.00										

Paid and Errors from Finance

Status	Error or Warning	App Seq	Request Amount	Amount Paid	PP Paid	Last Name	First Name	SSN	Relevant PP	Requested By	Date Requested	Butt
No Data												