

DALLAS DISTRICT DISPUTE RESOLUTION TEAM

Keith Youngblood
USPS Representative

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Kimetra Lewis
NALC Representative



RESOLVED



STEP B DECISION

Step B Team: Kimetra Lewis
Keith Youngblood

District: Rio Grande
Deciding District: Dallas

Formal Step A Parties
NALC: Edward Quinonez
USPS: Lee Walsh

Decision: RESOLVED
USPS Number: G11N-4G-C 15026677
Grievant: Class Action
Branch Grievance Number: 421-905-14
Branch Number: 421
Installation: San Marcos
Delivery Unit: MPO
State: Texas
Incident Date: 11/1/2014
Date Informal Step A Initiated: 11/22/2014
Formal Step A Meeting Date: 12/2/2014
Date Received at Step B: 12/5/2014
Step B Decision Date: 12/15/2014
USPS Issue Code: 08.5410
NALC Issue Code: 120051
Original Step B Received Date:
Date Sent To Assisting Team:

COPY

ISSUE: Did Management violate Article 8 sections 5.D and 5.G of the National Agreement when carriers not on the ODL were mandated to work overtime and Work Assignment carriers were mandated to work overtime off their assignments when ODL carriers were available to work the overtime During November 1-7, 2014? If so what is the appropriate remedy?

DECISION: The Dispute Resolution Team agreed to **RESOLVE** this grievance. There were violation to Article 8 sections 5.D and 5.G of the National agreement. The following employees will be compensated the following lump sum amounts to be entered at the Step B Level of the Grievance / Arbitration Procedure:

Employee	ODL Employees	
	EIN	Amount
H H Trelles	02177901	\$7.59
M F Suarez	03453376	\$126.96
A R Vega	02441829	\$54.51
P V Calderon	03660409	\$223.77
D A Romero Sr.	02201151	\$8.63

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Employee	EIN	Amount
Work Assignment Employees		
A W Wheeler	02039354	\$44.20
Non-ODL carriers		
G S Folster	02123533	\$8.97
D R Yanez	02187333	\$88.53
S L Keys	02615845	\$15.99
J D Cain	02141007	\$63.05
T Harris	04043170	\$66.43
CCAs		
J Scott	04309188	\$59.04
J A Bird	04347998	\$106.32
L R Donaldson	04347972	\$28.32
L M Meditz	04348359	\$65.28

No further actions are required.

EXPLANATION: On November 1-7, 2014 the union contends that management improperly mandated non-ODL carriers to work overtime and Work Assignment carriers to work overtime off their assignments. Based on the contents of the grievance file work assignment carriers were mandated to work overtime off their assignments during November 1-7, 2014 by 3.40 units and non-ODL carriers worked a total of 18.87 units during the week.. Based on the contents of the grievance file there were violations of Article 8 sections 5.D and 5.G on November 1-7, 2014. The work assignment carriers were worked off their assignments on November 1 and 3, 2014 and that overtime should have been assigned to ODL carriers.

The JCAM 8-17 gives the guidelines for mandatory overtime:

8.5.D 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. 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 non-scheduled 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. However, if the Overtime Desired List does not provide sufficient qualified fulltime regulars for required overtime, Article 8.5.D permits management

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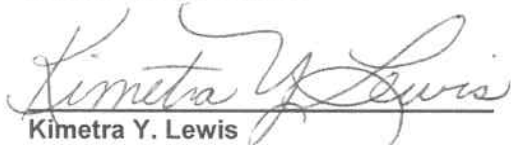
to move off the list and require non-ODL carriers to work overtime on a *rotating basis* starting with the junior employee. This rotation begins with the junior employee at the beginning of each calendar quarter. Absent an LMOU provision to the contrary, employees who are absent on a regularly scheduled day (e.g. sick leave or annual leave) when it is necessary to use non-ODL employees on overtime will be passed over in the rotation until the next time their name comes up in the regular rotation.

Management *may* seek non-ODL *volunteers* rather than selecting nonvolunteers on the basis of juniority. Normally, carriers not on the Overtime Desired List may not grieve the fact that they were not selected to work overtime.

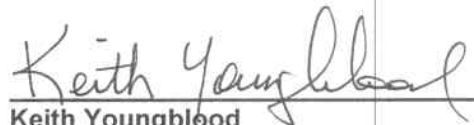
The provisions of Article 8.5.D do not apply in the case of full-time letter carriers working on their own assignment on a regularly scheduled day. That situation is governed by Article 8.5.C.2.d as amended by the letter carrier paragraph above.

There were CCAs and ODL carriers available at the regular overtime rate each day to work the needed overtime.

Management's failure to meet at the Formal Step A and supply written contentions led to the decision stated above.



Kimetra Y. Lewis
NALC Step B Representative



Keith Youngblood
USPS Step B Representative

cc: Rio Grande DRT

Contents:

- PS Form 8190
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- Request a Informal Step A meeting
- Request for Formal Step A meeting
- OTDL
- Supervisor statement
- Weekly schedule
- Union overtime worksheets
- TACS reports
- End

Payout Request History for Grievance 15026677

[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		1	\$7.59	TRELLES	HENRY	0967	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$8.63	ROMERO	DAVID	0864	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$8.97	FOLSTER	GREGORY	9372	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$15.99	KEYS	STACEY	9904	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$28.32	DONALDSON	LOLA	2513	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$44.20	WHEELER	ALICIA	8258	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$54.51	VEGA	ANTHONY	4775	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$59.04	SCOTT	JOSHUA	3330	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$63.05	CAIN	JAMES	7439	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$65.28	MEDITZ	LISA	6976	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$66.43	HARRIS	TAMMY	2996	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$88.53	YANEZ	DANIEL	2066	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$106.32	BIRD	JASON	2634	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$126.96	SUAREZ	MARIA	8960	PP24 FY2014	KS6WNS	12/17/2014	Details
New		1	\$223.77	CALDERON	PRUDENCIO	3454	PP24 FY2014	KS6WNS	12/17/2014	Details
Total New: \$967.59										

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	Butto
No Data												
Total Paid: \$0.00												
Total Error: \$0.00												