



RESOLVE



STEP B DECISION

Step B Team:	Decision:	RESOLVE
USPS:	USPS Number:	G16N-4G-C 1816 2027
Alex Zamora	Grievant:	Class
NALC:	Branch Grievance Number:	421-158-18
Jim Ruetze	Branch:	421
District:	Installation:	San Marcos
Rio Grande	Delivery Unit:	MPO
	State:	TX
	Incident Date:	01/31/2018 and ongoing
USPS Formal A:	Informal Step A Meeting:	02/14/2018
Carolyn Carter	Formal Step A Meeting:	03/02/2018
NALC Formal A:	Received at Step B:	03/02/2018
Richard Gould	Step B Decision Date:	03/16/2018
	Issue Code:	41.4930
	NALC Subject Code:	100251

ISSUE:

Did management violate Articles 14, 15 and/or 30 of the National Agreement by failing to clean the vehicles in San Marcos in accordance with the Local Memorandum of Understanding (LMOU) and prior grievance settlements? If so, what is the remedy?

DECISION:

The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. Management in San Marcos will ensure that letter carrier postal vehicles are cleaned two times per month on the outside and once a month on the inside. The safety captain will inspect the vehicles after each cleaning with management and will report issues to the postmaster. See the DRT Explanation below.

EXPLANATION:

The LMOU between NALC and USPS for the San Marcos Installation includes a provision for cleaning the vehicles twice per month on the outside and once per month on the inside. The vehicles were not cleaned in January, prompting the union to file this grievance. 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 this has been a problem in the past, and management's failure to ensure the cleanliness of the vehicles has created an unsafe condition. Mold, dust, and dirt have accumulated inside the vehicles, which has caused or exacerbated breathing problems for some carriers. Additionally, the union contends the safety captain was not permitted to inspect the vehicles.

The union requests management cease & desist failing to honor the LMOU and prior grievance settlements, and pay each carrier in San Marcos \$25.00 to demonstrate the parties' commitment to contract compliance.

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Management contends the vehicles were cleaned in accordance with the LMOU and National Agreement, and local management has no authority to change those agreements. Management contends local management has nothing to do with the cleaning contracts. Furthermore, management contends Safety Captain Brashears did not inspect the vehicles on 01/03/2018 and was not scheduled on 02/16/2018.

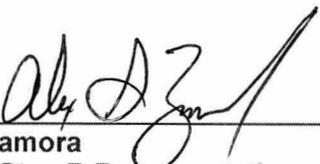
The **DRT** reviewed the case file and determined the vehicles were not cleaned in accordance with the LMOU. Although there was one cleaning of the outside of the vehicles, the evidence in the file indicates the insides were not cleaned at all and the outsides were not cleaned a second time in January. Management must comply with the terms of the LMOU, even if they impose a greater duty to clean the vehicles than standard postal policy does.

The DRT noted that there appears to be a communication gap regarding the safety captain's inspection of the vehicles following the cleaning. The 01/02/2018 grievance settlement does not impose specific notification or scheduling requirements, and both parties suggested the absence of an inspection was the fault of the other. The DRT recommends the parties establish a procedure by which the safety captain is informed that the vehicles have been cleaned so he/she can inspect the vehicles promptly with a member of management.

The USPS/NALC LMOU for San Marcos provides the following:

All leased and postal vehicles shall be cleaned inside once a month and outside twice a month. Management shall be notified of vehicles that are dirty and shall see to it that the cleaning is done. (1991)

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



Alex Zamora
USPS Step B Representative



Jim Ruetze
NALC Step B Representative

cc:

LR Manager, SW Area
NALC Region 10 NBA
Rio Grande District HR Manager
Rio Grande District LR Manager
Management Formal Step A Designee

NALC Branch President
NALC Formal Step A Designee
Manager, Rio Grande District
Postmaster, San Marcos, Texas
DRT File

Grievance File Contents

PS Form 8190
Union Contentions
Management Contentions
Prior Formal Step A Settlement
Prior Step B Decision
Union Interview of Steve Wallace, SCS
Union Interview of Carolyn Carter, PM

Union Interview of Safety Captain Brashears
Email Traffic re: Failure to Clean Vehicles
Photos of Interior of Vehicles
Statement from Past Postmaster
Statement from SCS Wallace
Email From Branch 421 President Boyd
Vehicle Washing Log & Invoice