



**RESOLVE**



**STEP B DECISION**

<b>Step B Team:</b>	Decision:	<b>RESOLVE</b>
USPS:	USPS Number:	<b>G11N-4G-C 1740 0519</b>
<b>Mike Goden</b>	Grievant:	<b>Class</b>
NALC:	Branch Grievance Number:	<b>421-255-17</b>
<b>Jim J Ruetze</b>	Branch:	<b>421</b>
	Installation:	<b>San Marcos</b>
District:	Delivery Unit:	<b>MPO</b>
<b>Rio Grande</b>	State:	<b>TX</b>
	Incident Date:	<b>03/10/2017</b>
USPS Formal A:	Informal Step A Meeting:	<b>03/16/2017</b>
<b>Michelle Soliz</b>	Formal Step A Meeting:	<b>03/17/2017</b>
NALC Formal A:	Received at Step B:	<b>03/20/2017</b>
<b>Edward Quinonez</b>	Step B Decision Date:	<b>04/10/2017</b>
	Issue Code:	<b>31.2000</b>
	NALC Subject Code:	<b>505006</b>

**ISSUE:**

Did management violate Articles 15, 17 and/or 31 of the National Agreement by failing to provide requested information within 72 hours? If so, what is the remedy?

**DECISION:**

The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. The case file evidenced a violation of the National Agreement. Management will abide by the provisions of Articles 15, 17 and 31 as they relate to union information requests. Information requested by the union will be provided as soon as possible, but no later than three working days after the request, unless it is not available within that time frame. In such cases, management will provide an explanation within three working days of the nature of the delay and when the information is expected to be available. See the DRT Explanation below.

**EXPLANATION:**

On 03/10/2017, San Marcos Steward Edward Quinonez submitted a Request for Information to management related to an overtime bypass grievance. Management did not provide the requested information within three days, so the union filed this grievance. As of the date the steward sent this grievance to Step B, the requested information had not been provided.

**The union** contends multiple grievance settlements have established management's obligation to provide requested information within 72 hours, yet management continues to ignore its responsibilities. The union further contends that because of the clear prior settlements, this violation rises to the level of being "egregious," and such egregious violations warrants an appropriate penalty.

The union requests that management cease & desist failing to comply with grievance settlements, and that management cease and desist future violations of its obligations to provide requested information within 72 hours. In addition, the union requests that management pay city carriers \$10.00 per day until management has fully complied with the grievance resolution at issue in this case.

RIO GRANDE DISPUTE RESOLUTION TEAM  
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**Management** met at Formal Step A, but no management contentions were included in the case file.

The **DRT** reviewed the case file and determined the parties' settlement of grievance #421-198-16 constituted an enforceable agreement:

*Management will cease & desist violations of Steward's Rights, Article 17.3 & 31.3. Requested information will be provided unless it is not immediately available, in which case it will be provided within 72 hours. A delay in providing information shall constitute a request by management to extend the timeline for filing or appealing the grievance.*

The DRT had no reason to doubt the good faith intentions of the parties when they negotiated that agreement. With that understanding, the DRT expects the parties to exercise good faith when information is requested in the future.

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



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**Mike Goden**  
**USPS Step B Representative**



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**James J 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  
Original Request for Information  
Request for Formal Step A Meeting  
Prior Settlement re: Info Requests  
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