



STEP B DECISION

Step B Team:	Decision:	<u>RESOLVE</u>
USPS:	USPS Number:	G11N-4G-C 1758 0723
Alex Zamora	Grievant:	Class
NALC:	Branch Grievance Number:	421-673-17
Karrie Kimbrell	Branch:	421
	Installation:	Schertz
District:	Delivery Unit:	MPO
Rio Grande	State:	TX
	Incident Date:	07/03/2017
	Informal Step A Meeting:	07/29/2017
	Formal Step A Meeting:	No meeting
USPS Formal A:	Received at Step B:	08/18/2017
No meeting	Step B Decision Date:	08/29/2017
NALC Formal A:	Issue Code:	11.6300
Richard Gould	NALC Subject Code:	506002



ISSUE:

Did management violate Article 11.6.A of the National Agreement and/or Article 11 of the Branch 421 Local Memorandum of Understanding (LMOU) by failing to poll, post the holiday schedule by Tuesday of the preceding week, and by not scheduling regular full-time volunteers according to the proper pecking order? If so, what is the appropriate remedy?

DECISION:

The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. The case file evidenced a violation when management did not poll carriers to work July 3, 2017, and by not scheduling full-time regular volunteers according to the pecking order. Management will follow the proper pecking order when scheduling carriers for holidays. Carrier Lewis will be made whole by way of a lump sum payment in the amount of \$300.00. Payment was completed at Step B. See DRT explanation.

EXPLANATION:

This grievance concerns holiday scheduling for the July 3, 2017, holiday. The allegations are that management did not poll carriers who would be off on that date, that management did not post the schedule by Tuesday the prior week, and that the pecking order was not followed. Full-time regular Carrier Lewis states he wanted to work his scheduled day off (SDO) on July 3, 2017, but was not selected to do so. Instead, another carrier on his SDO was worked even though that carrier was junior to him.

The union contends management failed to schedule full-time volunteers for the July 4 designated holiday on July 3, 2017. Management chose to only poll one carrier for his designated holiday, and then decided to bring in full-time carrier Alexander in on his SDO without trying to find out if any other carrier senior to him would like to work their SDO. Carrier Lewis notified the union that he would like to have worked on July 3, 2017, but was not asked. The union requests as remedy that Carrier Lewis be paid for the time he was not

worked on July 3, 2017, and the union requests that management cease and desist from refusing to poll the full-time regular carriers for the designated holiday and post the schedule by Tuesday as required.

Management did not meet at the Formal Step A level and did not provide any contentions.

The DRT agreed the case file evidenced a violation. Article 11, Section 3.A states:

11.6.A Section 6. Holiday Schedule


A. The Employer will determine the number and categories of employees needed for holiday work and a schedule shall be posted as of the Tuesday preceding the service week in which the holiday falls.


Article 11.6.B provides the scheduling procedure for holiday assignments. Keep in mind that Article 30.B.13 provides that "the method of selecting employees to work on a holiday" is a subject for discussion during the period of local implementation. The Local Memorandum of Understanding (LMOU) may contain a local "pecking order."

In the absence of LMOU provisions or a past practice concerning holiday assignments, the following minimum pecking order should be followed:

- 1) All part-time flexible employees to the maximum extent possible, even if the payment of overtime is required.*
- 2) All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their holiday or their designated holiday—by seniority.*
- 3) City carrier assistant employees.*
- 4) All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their non-scheduled day—by seniority.*
- 5) Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have not volunteered on what would otherwise be their non-scheduled day—by inverse seniority.*
- 6) Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have not volunteered on what would otherwise be their holiday or designated holiday—by inverse seniority.*

The case file evidenced Carrier Lewis has more seniority than Carrier Alexander and wanted to work his SDO on July 3, 2017. According to the pecking order, Carrier Lewis should have been worked. Based on the facts presented in the file and not disputed by management, the DRT agreed the appropriate remedy is shown on page one of this decision.


Alex Zamora
USPS Step B Representative


Karrie Kimbrell
NALC Step B Representative

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Grievance File Contents:

PS Form 8190

Union Contentions (3 pgs)

Copy of Text

Volunteer Poll

Carrier Seniority List

Weekly Schedule

ODL Sign-up Sheet

Employee Everything Report (2 pgs)

Hours Analysis Report (2 pgs)

Route/Carrier Performance Report (2 pgs)

LMOU Memorandum (2 pgs)

Informal Step A Request

Formal Step A Request

cc: Area Manager of Labor Relations, Southern Area
NALC NBA, Region 10
District Manager, Rio Grande District
Manager, Human Resources, Rio Grande District
Manager, Labor Relations, Rio Grande District
Postmaster
NALC Branch President
USPS Formal A Representative
NALC Formal A Representative
DRT File

Payout Request History for Grievance

17580723

[HELP](#)

no data

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

< Back Show History

New, Pending and Submitted Requests

Status	GATS Code	App Seq	Request Amount	Last Name	First Name	SSN	Relevant PP	Requested By	Date Requested	Buttons
New		2	\$300.00	LEWIS	EDDIE	6061	PP14 FY2017	KBY9N0	09/07/2017	Details De
Total New: \$300.00										
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
No Data											
Total Paid: \$0.00											
Total Error: \$0.00											