



RESOLVE



STEP B DECISION

Step B Team:

USPS:

Rose Barner

NALC:

Jose Portales

Grieving District:

Rio Grande

Decision:

USPS Number:

Grievant:

Branch Grievance Number:

Branch:

Installation:

Delivery Unit:

State:

Incident Date:

Informal Step A Meeting:

Formal Step A Meeting:

Step B Received Date:

Step B Decision Date:

Issue Code:

NALC Subject Code:

RESOLVE

G16N-4G-C 2044 0850

Class Action

421-1103-20

421

Universal City

MPO

Texas

08/29/2020-09/04/2020

09/18/2020

09/29/2020

10/20/2020

11/09/2020

08.5000

120051

ISSUE:

Did management violate Article 8.5.D and 8.5.G of the National Agreement at Universal City, TX when they improperly assigned overtime during the week of 08/29/2020 through 09/04/2020?

DECISION:

The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. The case evidenced a violation of the National Agreement. The letter carriers in the table below are compensated in the amounts by their names. Carriers who were improperly assigned to work overtime were compensated an additional 50% of their straight time rate. ODL carriers were compensated for the missed overtime opportunities at the rate of pay they would have earned if they had performed the work. Management must assign overtime consistent with the provisions of Article 8.5. All payments associated with these remedies have been processed at Step B through GATS. See the DRT Explanation below.

EIN	EMPLOYEE	REMEDY	EIN	EMPLOYEE	REMEDY
02289693	Gaitwood, C.	\$7.38	04134088	Garza, M.	\$142.93
04262412	Watson, E.	\$31.42	02069874	Ysqurdo, J.	\$152.52
02002594	Carlson, K.	\$109.30	04596072	Guzman, N.	\$90.27
02232800	Ross, K.	\$41.15	04510537	Carrisal, A.	\$103.55
04476418	Reyna, A.	\$141.31	01973173	Lipps, R.	\$59.59

EXPLANATION:

This grievance concerns the assignment of overtime among full-time letter carriers at the Main Post Office in Universal city, Texas during the week of 08/29/2020 through 09/04/2020. During that week management mandated a WA carrier to work on his non-

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scheduled day (SDO) and WA carriers to work overtime off of their own assignments while ODL carriers were available at the regular overtime and penalty overtime rates.

The union filed this grievance to challenge management's violation of Article 8. Unable to resolve the dispute through the Informal and Formal A steps of the grievance procedure, the union appealed to Step B.

The union contends management violated Article 8.5.D and 8.5.G of the National Agreement when WA carriers were mandated to work off their own assignments while ODL and CCAs were available at the overtime and penalty overtime rates.

The union requests management at all levels immediately cease and desist violating the provisions of Article 8 and pay the non-ODLs 50% of pay rate for the time they were mandated off assignment and the ODLs and CCAs to be made whole for the time they should have worked.

Management contends the COVID-19 Pandemic and other circumstances has affected the staffing at the MPO in Universal City, TX. Management contends the carrier on route C06 called the station and informed the management staff that she would have to quarantine for 14 days. A carrier technician (T-6) was on vacation during this week, the carrier on route C01 was out for two days on union duty and a newly hired city carrier assistant (CCA) quit.

Management contends on Wednesday a carrier had an approved medical appointment and had to leave by 11:30 am. After calling other stations for assistance they called an ODL carrier but he did not answer. Management then called a WA carrier who was scheduled off and asked him if he could work. Management contends they never mandated that WA carrier to work on his SDO. Finally management contends all ODL carriers were maximized to 10 hours per day to meet the 1800 dispatch of value. Management offered to settle this grievance with the exception of the WA carrier; however the union declined the offer.

The DRT reviewed the case file and determined there was a violation of Article 8.5 for 08/28/2020 through 09/04/2020 when the overtime among full-time carriers were not assigned in accordance with the provisions of Article 8.5. The assignment of overtime to non-ODL carriers off their assignments or on a non-scheduled day is discussed on page 8-15:

Before requiring a non-ODL carrier to work overtime on a non-scheduled day or off his/her own assignment, management must seek to use a carrier from the ODL, even if the ODL carrier would be working penalty overtime (Article 8.5.D).
[Emphasis Added]

For Work Assignment carriers, the following JCAM language from page 8-22 addresses the assignment of overtime off their assignment or on a non-scheduled day:

The Work Assignment List was established for full-time letter carriers who only want to work overtime on their own assignment on regularly scheduled days. Signing up for the Work Assignment overtime does not create any entitlement or obligation to work overtime on a non-scheduled day. For purposes of overtime on a non-scheduled day or on other than their own assignment, carriers on the Work

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Assignment list are treated exactly the same as any other full-time carriers not on the Overtime Desired List—They may only be required to work overtime under the provisions of Article 8.5.D. [Emphasis in Original].

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



Rose Barner
USPS Step B Representative



Jose Portales
NALC Step B Representative

cc:

LR Manager, Southern Area
Rio Grande District HR Manager
Rio Grande District LR Manager
USPS Formal Step A Designee: A. Garza
NALC Formal Step A Designee: A. Reyna

NALC Region 10 NBA
NALC Branch President
Manager, Rio Grande District
Postmaster
DRT File

Grievance File Contents

PS Form 8190
Management Contentions (3 pgs)
Availability Chart
Weekly Schedule
Employee Everything Report (5 pgs)
PS Form 3996s (6 pgs)
M-01548 (7 pgs)
M-01444
MapQuest (3 pgs)
Request for Information
Time Limit Extension (4 pgs)
Letter Carrier Pay Schedule
Table of Contents

Union Contentions (18 pgs)
Violation Chart
OTDL
Employee Moves Report (5 pgs)
Hours Analysis Report (4 pgs)
Email (2 pgs)
M-00326 (2 pgs)
M-01664
Statement
Informal Step A Resolution Form
Request to Meet at Formal Step A
Steward Designation Letter

Payout Request History for Grievance**20440850**[HELP](#)

no data

Not Processed By Payroll

- ☒ New (Not yet sent to Payroll)
- ☒ Pending (Not back from Payroll)
- ☒ Submitted (Received acknowledgment from Payroll, awaiting processing)

Payroll Processed

- ☒ Paid (Back from Payroll without error)
- ☒ Payroll Error (Back from Payroll with error)

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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	
New		2	\$7.38	GAITWOOD	CURTIS	9346	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$31.42	WATSON	ERNEST	7968	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$41.15	ROSS	KENNETH	6241	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$59.59	LIPPS	RALPH	4908	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$90.27	GUZMAN	NESTOR	3269	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$103.55	CARRISAL	ARTURO	3241	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$109.30	CARLSON	KARI	8820	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$141.31	REYNA	ADAM	6583	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$142.93	GARZA	MAURICIO	9813	PP19 FY2020	YSZ1BC	11/10/2020	De
New		2	\$152.52	YSQUIERDO	JOEL	5937	PP19 FY2020	YSZ1BC	11/10/2020	De
Total New: \$879.42										
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											