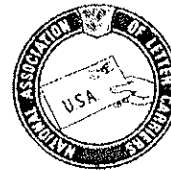


TP



# RESOLVE



## STEP B DECISION

<b>Step B Team:</b>	Decision:	<b>RESOLVE</b>
USPS:	USPS Number:	<b>G16N-4G-C 1943 0585</b>
<b>Rose Barner</b>	Grievant:	<b>Adam J. Reyna</b>
NALC:	Branch Grievance Number:	<b>421-789-19</b>
<b>Jim Ruetze</b>	Branch:	<b>421</b>
	Installation:	<b>Universal City</b>
District:	Delivery Unit:	<b>MPO</b>
<b>Rio Grande</b>	State:	<b>TX</b>
	Incident Date:	<b>04/15/2019 &amp; ongoing</b>
USPS Formal A:	Informal Step A Meeting:	<b>08/22/2019</b>
<b>Josue Bermea</b>	Formal Step A Meeting:	<b>09/05/2019</b>
NALC Formal A:	Received at Step B:	<b>09/23/2019</b>
<b>Adam J. Reyna</b>	Step B Decision Date:	<b>11/05/2019</b>
	Issue Code:	<b>65.2900</b>
	NALC Subject Code:	<b>600232</b>

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### ISSUE:

Did management violate Article 15 of the National Agreement by failing to process the necessary adjustments following a Step B decision to change grievant Adam Reyna's seniority date?? If so, what is the remedy?

### DECISION:

The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. If not already completed, management will complete the adjustments to the grievant's pay and benefits within 30 days of receipt of this decision. Management will cease & desist failing to comply with grievance settlements. See the DRT Explanation below.

### EXPLANATION:

On July 21, 2018, City Route 1 in Universal City, Texas became a residual vacancy after it passed through a bidding cycle with no successful bidder. The union filed a grievance to protest management's failure to convert the City Carrier Assistant (CCA) with the highest relative standing (Adam Reyna) on that date. That grievance was forwarded to the Alternative Dispute Resolution (ADR) team, and on April 15, 2019 the Step B team in San Antonio, Texas resolved the grievance in accordance with the ADR team's instructions. The decision was to make Reyna's seniority date (which was originally September 15, 2018) retroactive to September 1, 2019. Although his seniority date was corrected, none of the other adjustments related to pay and benefits were made.

The union filed this grievance to protest management's failure to process the adjustments associated with the retroactive conversion. Unable to resolve the dispute through the Informal and Formal A steps of the grievance procedure, the union appealed to Step B.

The union contended Universal City management had ample opportunities to resolve the pay adjustment issue prior to the union resorting to a grievance, but did nothing until Postmaster Mata left. At that time another supervisor attempted to achieve a resolution, but as of the time of the appeal of this grievance, it had not been done.

The union requested management cease & desist failing to comply with grievance settlements. The union also requested management process all adjustments to make the grievant whole for any and all wages and benefits he is owed, including leave accrual, holiday pay, USPS TSP Contributions, Health Benefits, etc.

Management met at Formal Step A, but no contentions were included in the file. There were emails in the file supporting the union contention that Supervisor Josue Bermea made efforts to resolve the issue.

The DRT reviewed the case file and agreed the adjustment must be made promptly. Accordingly, the DRT agreed if the adjustments to the grievant's pay and benefits have not already been processed, management will complete the adjustments within 30 days of receipt of this decision. Article 15.3.A of the National Agreement provides:

*15.3.A. The parties expect that good faith observance, by their respective representatives, of the principles and procedures set forth above will result in resolution of substantially all grievances initiated hereunder at the lowest possible step and recognize their obligation to achieve that end. At each step of the process the parties are required to jointly review the Joint Contract Administration Manual (JCAM).*

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

  
\_\_\_\_\_  
Rose Barner  
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  
DRT File

**Grievance File Contents**

PS Form 8190  
Union Contentions – 5 pgs  
Requests for Information – 2 pgs  
Request for Steward Time  
Request for Informal Step A Meeting  
Time Limit Extensions – 2 pgs  
Informal Step A Proposed Resolution  
Request for Formal Step A Meeting

Emails – 9 pgs  
RTR Employee Detail Report  
PS Form 50  
Letter Carrier Pay Schedule  
Prior DRT Decision  
Grievant's Earning Statements – 25 pgs  
Steward Designation