



RESOLVE



STEP B DECISION

USPS Step B: Rose Barner	Decision:	RESOLVE
NALC Step B: Jim Ruetze	USPS Number:	G16N-4G-2112 2361
	Grievant:	Class
	Branch Grievance Number:	421-1392-21
	Branch:	421
	Installation:	Eagle Pass
District: Rio Grande	Delivery Unit:	MPO
	State:	TX
	Incident Date:	02/08/2021
	Informal Step A Initiated:	02/17/2021
	Formal Step A Meeting:	02/24/2021
	Received at Step B:	02/26/2021
	Step B Decision Date:	03/19/2021
	Issue Code:	37.3064
	NALC Subject Code:	504216

ISSUE: Did management violate Article 41.1.A.2 of the National Agreement by failing to provide the union with a new PS Form 1723, *Assignment Order*, when letter carrier Jesus Chio's 204b detail ended? If so, what is the remedy?

DECISION: The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. There was no violation of the National Agreement. There is no contractual requirement to provide an updated PS Form 1723 unless there is a modification to the original Assignment Order. See the DRT Explanation below.

EXPLANATION: Letter carrier Jesus Chio worked as a 204b supervisor in Eagle Pass, Texas from February 4-6, 2021 and again from February 11-13, 2021. In both cases management provided the union with a PS Form 1723 reflecting the detail would encompass those dates. When he returned to the craft from his detail, management did not provide a new PS Form 1723 showing his detail had ended. The union filed this grievance to protest management's failure to provide a separate PS Form 1723 at the end of Chio's detail. Unable to achieve a resolution through the Informal or Formal Step A levels of the grievance process, the union appealed the grievance to Step B.

The union contended management's Formal Step A representative refused to allow the steward to write contentions after the Formal Step A meeting, instead ordering him to start delivering his route. The union asserts this is an ongoing problem, and requested management either be instructed to cease and desist or in the alternative, the DRT

should remand the grievance with instructions to provide time on the clock on the day of the meeting to write contentions.

Management at Formal Step A contended there was no violation, as there is no contractual requirement for an additional PS Form 1723 the union says was not provided at the end of Chio's detail.

The DRT reviewed the case file and determined Chio's 204b details matched the dates on the PS Forms 1723 in the file. Because there was no change to the beginning or ending dates, the DRT agreed providing the original PS Form 1723 satisfied the requirement in Article 41.1.A.2, which provides in relevant part:

Form 1723, Assignment Order, shall be used in detailing letter carriers to temporary supervisor positions (204b). The Employer will provide the Union at the local level with a copy of Form(s) 1723 showing the beginning and ending of all such details.

When management prematurely terminates a 204b detail, a revised PS Form 1723 will be provided to the union as soon as possible. The November 13, 1987 Step 4 settlement of grievance H1N-3U-C 34332 (M-00789) provides, in pertinent part:

- 1) A craft employee may work less than a full day on a 204b assignment (temporary supervisory position).
- 2) Form 1723 shall be used in detailing letter carriers to temporary supervisory positions. Pursuant to Article 41.1.A.2, the Employer will provide the Union at the local level with a copy of Form(s) 1723 showing the beginning and ending of all such details.
- 3) Management may prematurely terminate a 204b assignment.
- 4) In the event a 204b assignment is prematurely terminated, a revised form 1723 will be furnished to the union at the local level as soon as practicable.**
[Emphasis Added]

Based on its review of the case file, the DRT agreed the case file did not evidence a violation of the National Agreement.



Rose Barner
USPS Step B Representative

Jim Ruetze
NALC Step B Representative

cc:

LR Manager, Southern Area
NALC Region 10 NBA
Rio Grande District HR Manager
Rio Grande District LR Manager
USPS Formal A Raul Salazar

NALC Branch President
NALC Formal A Jorge Valdez
Manager, Rio Grande District
Postmaster
DRT File

Grievance File Contents

PS Form 8190

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M-00789

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