



**RESOLVE**



**STEP B DECISION**

<b>Step B Team:</b>	Decision:	<b>RESOLVE</b>
USPS:	USPS Number:	<b>4G19N-4G-C 2225 3686</b>
<b>Richard Ketchum</b>	Grievant:	<b>Class</b>
NALC:	Branch Grievance Number:	<b>421-0706-2022</b>
<b>Jose Portales</b>	Branch:	<b>421</b>
Dispute Resolution Team:	Installation:	<b>San Antonio</b>
<b>Rio Grande</b>	Delivery Unit:	<b>JF Dobie</b>
District Grieving:	State:	<b>Texas</b>
<b>Texas 3</b>	Incident Date:	<b>05/05/2022</b>
	Informal Step A Meeting:	<b>05/19/2022</b>
	Formal Step A Meeting:	<b>06/01/2022</b>
	Received at Step B:	<b>06/02/2022</b>
	Step B Decision Date:	<b>07/08/2022</b>
	Issue Code:	<b>65.2900</b>
	NALC Subject Code:	<b>600232</b>

**ISSUE:** Did management violate Article 15.3.A of the National Agreement and Postal Service Policy Letter (M-0517) when they failed to comply with grievance settlement 421-1994-21 dated 11/17/2021? If so, what is the remedy?

**DECISION:** The Dispute Resolution Team (DRT) mutually agreed to **RESOLVE** this grievance. The case file did not support a violation. However, any data from the route inspections conducted pursuant to Section 271 of Handbook M-39 will be provided to the Rio Grande/Texas 3 District Lead Team to make any needed route adjustments, in accordance with M-01982. See the DRT Explanation below.

**EXPLANATION:** On November 17, 2021 the Formal Step A Parties at the JF Dobie Station in San Antonio, TX agreed to the following:

*Union and management agreed to take 3:07 off Route 22068 and route 22064 2 hours and combine to make a 5-hour aux. route. Route 44088 will be taking off 3 hours and make an aux. route starting on January 29, 2022.*

The Formal Step A parties met again on March 8, 2022 and amended the agreement made on November 17, 2021, stating:

*We will begin assisting routes listed above with kick-offs to keep from being non-compliant. We will begin 3/9/2022. This will give us time to get the territory removed.*

The union filed this grievance to challenge management's decision to not comply with the settlement agreement signed on November 17, 2021. Unable to resolve this grievance at the Informal and Formal A steps of the grievance procedure, the union appealed to Step B.

**The union** contends management failed to comply with the signed settlement agreement for grievance 421-1994-21. The management staff at the JF Dobie Station continues to violate the National Agreement knowingly, intentionally, and flagrantly when they choose not to comply with the settlement agreement.

RIO GRANDE DISPUTE RESOLUTION TEAM  
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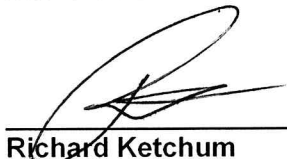
The union requests management immediately comply with the settlement agreement dated November 17, 2021 and cease and desist violating Article 15.3.A of the National Agreement and Postal Service Policy Letter M-01517. To ensure contract compliance the union also requests Carriers S. Olvera, N. Cooper, and C. Castillo each be compensated \$10.00 per day, from January 29, 2022, until management has fully complied with the settlement agreement or whatever the Step B team deems appropriate.

**Management** contends they are not non-compliant because of the agreement made between the Formal Step A parties on March 8, 2022. The union steward knows management has made numerous attempts to get these routes adjusted. Management has sent the information and contacted district ops, which is no longer operating since the postal wide structure change. Seeing the difficulty management was experiencing the Formal A parties agreed to amend the original settlement agreement on March 8, 2022. Management continues to assist these routes and continues to have difficulties removing the territory and building the aux. routes. Now there is a new initiative and agreement between the NALC and USPS that route adjustments will be done using the historical data of said route. Also, the data being used for these route adjustments are well over a year old and would no longer provide accurate adjustments with the continued growth they have had. The entire station truly needs to be adjusted.

**The DRT** reviewed the case file and determined there was insufficient evidence to support the union's claim that management failed to comply with the settlement agreement. The parties amended the original settlement agreement on March 8, 2022 stating the carriers on route 22064, 22068 and 44088 would be provided with auxiliary assistance. The case file was void of any documents indicating these carriers were not provided with auxiliary assistance. M-01982 states in relevant part:

*Any data from route inspection conducted pursuant to Section 271 of Handbook M-39, which began prior to the signing of this agreement and **have not yet been adjusted**, will be forwarded to the district lead team who will assign a route evaluation and adjustment team to make any needed route adjustments.* [Emphasis Added]

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



Richard Ketchum  
USPS Step B Representative



Jose Portales  
NALC Step B Representative

**cc:**

LR Manager, Southern Area  
NALC Region 10 NBA  
District HR Manager  
District LR Manager  
USPS Formal Step A: Stephen M. Seal

NALC Branch President  
NALC Formal Step A: Homer Hernandez  
District Manager  
Postmaster  
DRT File

**Grievance File Contents**

PS Form 8190 (2 pgs)  
Request for Information  
Union's Contentions (2 pgs)  
Employee Everything Report (11 pgs)

Request to Meet at Formal Step A  
Settlement Agreement Dated 11/17/2022  
Carriers' Statements  
Management's Contentions