

Local Grievance # _____

Issue Statement: (Block 15 of PS Form 8190):

1. Did management violate Article 41.1.C.4 of the National Agreement by removing Full-Time Regular Letter Carrier **[Name]** from his/her assignment on **[date(s)]** in the **[Station/Post Office]**, and if so, what should the remedy be?

Union Facts and Contentions (Block 17 of PS Form 8190):

Facts:

1. Full-Time Letter Carrier **[Name]** has been the properly assigned regular carrier on **[route #/carrier technician assignment]** since **[date]**.
2. Full-Time Letter Carrier **[Name]** was removed from his/her regular assignment on route **[route #/carrier technician assignment]** on **[date]** and performed the following duties:

3. Article 41.1.C.4 of the National Agreement states:
*The successful bidder shall work the duty assignment as posted.
Unanticipated circumstances may require a temporary change in assignment.
This same rule shall apply to Carrier Technician assignments, unless the local agreement provides otherwise.*
4. Article 3 of the National Agreement states in pertinent part:
The Employer shall have the exclusive right, subject to the provisions of this Agreement and consistent with applicable laws and regulations:

F. To take whatever actions may be necessary to carry out its mission in emergency situations, i.e., an unforeseen circumstance or a combination of circumstances which calls for immediate action in a situation which is not expected to be of a recurring nature.

5. JCAM page 3-1 states:

Article 3.F Emergencies. This provision gives management the right to take whatever actions may be necessary to carry out its mission in emergency situations. An emergency is defined as “an unforeseen circumstance or a combination of circumstances which calls for immediate action in a situation which is not expected to be of a recurring nature.”

Contentions:

1. Letter Carrier(s) **[name]** is currently assigned to route **[route #/carrier technician assignment]**.
2. On **[date(s)]** Letter Carrier(s) **[Name(s)]** was removed from his/her permanent bid assignment and instructed by management to work on route **[route #]**.
3. Management violated Article 41.1.C.4 of the National Agreement, which allows the successful bidder to work the duty assignment as posted.
4. Management has failed to identify any unanticipated circumstances, which caused Letter Carrier(s) **[Name(s)]** to be removed from their bid assignment on **[date(s)]**. Management has also failed to identify any emergency situations as described in Article 3.F and defined by the parties' mutual agreement in the JCAM on page 3-1. The current test being conducted in the **[Station/Post Office]** does not constitute an emergency as defined by Article 3.F.

Remedy (Block 19 of PS Form 8190):

1. Management cease and desist violations of Article 41.1.C.4 of the National Agreement.
2. That all time associated with the route(s) in question be properly credited to the route(s).
3. That none of the data associated with days Letter Carrier(s) **[name]** was improperly moved off his/her assignment be used for future route adjustments.
4. That Letter Carrier(s) **[name]** shall each be paid a lump sum of \$50.00 for each violation to serve as incentive for future compliance.
5. All payments associated with this case be made as soon as administratively possible, but no later than, 30 days from the date of this agreement. Proof of payment be provided to **[NALC Official]** upon payment.



National Association of Letter Carriers Request for Information

To: _____
(Manager/Supervisor)

Date _____

(Station/Post Office)

Manager/Supervisor _____,

Pursuant to Articles 17 and 31 of the National Agreement, I am requesting the following information to investigate a grievance concerning a violation of Article 41.

1. Bid Award Notice(s) showing Letter Carrier(s) **[Name(s)]** as the successful bidder on route **[route #/carrier technician assignment]**.
2. TACS Employee Everything Reports for Letter Carrier **[Name]** from **[Date]**.
3. TACS Employee Everything Reports for Letter Carrier **[Name]** from **[Date]**.
4. TACS Employee Everything Reports for Letter Carrier **[Name]** from **[Date]**.

I am also requesting to interview the following individuals:

1. **Name**
2. **Name**
3. **Name**

Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,

Shop Steward
NALC

Request received by: _____

Date: _____