

## Local Grievance # \_\_\_\_\_

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

Did management violate Article 41, Section 2.B of the National Agreement by not allowing letter carrier **[name]** to opt on route **[route #]** for **[date(s)]** in the **[Station/Post Office]** Installation, and if so, what should the remedy be?

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

#### Facts:

1. Letter Carrier **[name]** placed a bid for an opt/hold-down on Route **[route #]** on **[date]**.
2. Route **[route #]** is a full-time duty assignment of anticipated duration of five days or more in the delivery unit where letter carrier **[name]** is assigned.
3. Letter carrier **[name]** was the most senior letter carrier to opt on route **[route #]**.

#### Contentions:

1. Management violated Article 41, Section 2.B of the National Agreement when they failed to grant the opt/hold down on route **[route #]** on **[date(s)]** to letter carrier **[name]**.
2. Letter carrier **[name]** has the right under Article 41.2.B to exercise their preference for an opt/hold-down route **[route #]** which was vacated for an anticipated duration of five days or more in the delivery unit to which they are assigned. The JCAM reads in pertinent part:

***Opting on Temporary Vacancies.*** Article 41.2.B.3, 4.2.B.4 and 41.2.B.5 provide a special procedure for exercising seniority in filling temporary vacancies in full-time duty assignments. This procedure, called "opting," allows carriers to "hold down" vacant duty assignments of regular carriers who are on leave or otherwise unavailable to work for five or more days.

*Full-time reserve, full-time flexibles and unassigned full-time letter carriers may opt on vacancies of fewer than five days where there is an established local past practice (Article 4 1.2.8.3).*

**Eligibility for opting.** Full-time reserve letter carriers, full-time flexible schedule letter carriers, unassigned full-time carriers, part-time flexible, and city carrier assistants carriers may all opt for hold-down assignments.

All unassigned regulars have opting rights, regardless of the reason for the unassigned status (Step 4, H94N-4H-C 9600724 1, September 25, 2000, M-01431).

**Remedy (Block 19 of PS Form 8190):**

1. That management cease and desist violations of Article 41.2.B. 4 of the National Agreement at the **[Station/Post Office]**.
2. That Letter Carrier **[name]** be paid a lump sum equal to the difference between the number of hours he/she actually worked and the number of hours he/she would have worked had the opt/hold-down been properly awarded. This payment is to also include any out of schedule premium pay that results from the change in work schedules.
3. As an incentive to ensure future compliance, Letter Carrier **[name]** be paid a lump sum of \$100.00.
4. That all payments associated with this case be made as soon as administratively possible, and/or any other remedy the Step B Team or an Arbitrator deems appropriate.



## 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. A copy of the letter carrier work schedule for the week(s) of **[date(s)]**.
2. A copy of the Employee Everything Report for Letter Carrier **[name]** for **[date(s)]**.
3. A copy of the award sheet for all hold down(s)/opt(s) for the week(s) of **[date(s)]**.
4. A copy of the request to opt/hold-down route **[route#]** submitted by Letter Carrier **[name]**.
5. A copy of the letter carrier seniority list for the **[Station/Post Office]**.

I'm also requesting time to interview the following individuals:

1. **[name(s)]** at the **[Station/Post Office]**.

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,

Request received by:

\_\_\_\_\_  
Shop Steward  
NALC

\_\_\_\_\_  
Date:  
\_\_\_\_\_



## National Association of Letter Carriers Request for Steward Time

To: \_\_\_\_\_  
(Manager/Supervisor)

Date \_\_\_\_\_

\_\_\_\_\_  
(Station/Post Office)

Manager/Supervisor \_\_\_\_\_,

Pursuant to Article 17 of the National Agreement, I am requesting the following steward time to investigate a grievance. I anticipate needing approximately \_\_\_\_\_ (hours/minutes) of steward time, which needs to be scheduled no later than \_\_\_\_\_ in order to ensure the timelines established in Article 15 are met. In the event more steward time is needed, I will inform you as soon as possible.

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,

\_\_\_\_\_ Request received by: \_\_\_\_\_

Shop Steward  
NALC

Date: \_\_\_\_\_