

Local Grievance # _____

ISSUE STATEMENT (Block #15 on PS Form 8190):

Did Management violate Articles 10 and 19 of the National Agreement, including ELM Section 512.313 at the **[Installation name]** Installation when they failed to honor requests for annual leave from newly converted full time regular career letter carriers, and if so, what should the remedy be?

UNION FACTS AND CONTENTIONS (Block #17 on PS Form 8190):

Facts:

1. Full time regular letter carrier(s) **[name(s)]** has worked for the Postal Service for **[# months/years]** with 90 days of continuous service. This is documented with the PS Form(s) 50 *Notification of Personnel Action* included in this grievance.
2. City carrier assistants (CCAs) converted to full-time status have no break in service. The TACS Employee Everything Reports immediately preceding and following their conversion to full-time status are included in the case file to document this fact.
3. Full time regular letter carrier(s) **[name(s)]** is presently being credited with annual leave. This is documented with copies of employee pay and time records included in this grievance.

Contentions:

1. Management at the **[Installation name]** Installation violated Articles 10 and 19 including ELM Section 512.313 of the National Agreement, by failing to honor requests for annual leave from newly converted full time regular career letter carriers with 90 days of continuous employment. This is documented with the PS Form(s) 3971 *Request for or Notification of Absence* included in this grievance.
2. Full-time regular letter carrier(s) **[name(s)]** did not have any break in service between the appointment as a city carrier assistant and the conversion to a full time regular letter carrier. The TACS Employee Everything Reports immediately preceding and following the conversion to full-time status are included in the case file.
3. Full-time regular letter carrier(s) **[name(s)]** is not serving a probationary period because the conversion to full time status occurred during the life of the Memorandum of Understanding *Re: Sunday Delivery – City Carrier Assistant Staffing (M-01835)* which reads in part:

City carrier assistants converted to full-time regular career status during the term of this agreement will not serve a probationary period when hired for a career appointment provided the employee successfully served as a city carrier transitional employee directly before his/her initial CCA appointment.

This is documented with the PS Form(s) 50 *Notification of Personnel Action* included in this grievance. A copy of M-01835 is also included in the case file.

4. ELM Section 421.41 defines career appointments and newly converted full-time career letter carrier(s) do not meet any of these definitions and should not be considered a new employee when applying the provisions of ELM Section 512.313. Furthermore, this section read in conjunction with M-01835 requires the Postal Service to bestow full employee benefits and privileges, including the ability to request and use annual leave.
5. ELM Section 512.313(b) states that

“New employees earn annual leave but are not credited with the leave and may not take it prior to completing 90 days of continuous employment.”

Full-time regular letter carrier(s) **[name(s)]** is being credited with annual leave and should be allowed to use such leave.

Remedy (Block #19 on PS Form 8190):

1. Management immediately cease and deist refusing to honor requests for annual leave for newly converted full time regular letter carriers.
2. Management allow newly converted full-time career letter carrier(s) **[name(s)]** the opportunity to use denied annual leave over and above local percentages as deemed appropriate by the president of branch **[branch #]** or designee and the postmaster or designee of the **[Installation name]** Installation.
3. 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 Articles 10 and 19:

1. Copies of PS Form(s) 50 *Notification of Personnel Action* for the following letter carrier(s) **[name(s)]** for **[date(s)]**.
2. Copies of the TACS Employee Everything Reports for the following letter carrier(s) **[name(s)]** for **[date(s)]**.
3. A copy of the PS Form(s) 3971 *Request for or Notification of Absence* for the following letter carrier(s) **[name(s)]** for **[date(s)]**.

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

1. **[name(s)]** at the **[Installation name]** Installation.

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: _____ Date _____
(Manager/Supervisor)

(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,

Shop Steward
NALC

Request received by: _____
Date: _____