



American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005
January 14, 1998

Bobby Donelson
National Representative-At-Large
Maintenance Division
(202) 842-4213

Mr. Lance Coles, President
Des Moines Area Local
1118 E. University
Des Moines, IA 50316

Dear President Coles:

Your November 25, 1997 letter regarding your question on the 60 hour limit along with a holiday has been referred to me for a response as I am the officer assigned to handle article 8 & 10.

Pursuant to your inquiry, the work on the holiday would count towards the sixty and twelve hour limits. In your example, the person would not be allowed to work overtime. This person has worked his 20 hour overtime limit for the week. This example would not apply in December because the limits are not in effect during December. Please refer to overtime reference book questions 42 & 51.

Thank you for writing and if I can be of any further assistance, please do not hesitate to contact me.

Yours in union solidarity,

Bobby Donelson
Nat'l Rep.-At-Large

BD:kms
opeiu #2
afl-cio

Enclosures

National Executive Board

Moe Biller
President

William Burrus
Executive Vice President

Douglas C. Holbrook
Secretary-Treasurer

Greg Bell
Industrial Relations Director

Robert L. Tunstall
Director, Clerk Division

James W. Lingberg
Director, Maintenance Division

Robert C. Pritchard
Director, MVS Division

George N. McKelthen
Director, SDM Division

Regional Coordinators

Leo F. Persalls
Central Region

Jim Burke
Eastern Region

Elizabeth "Liz" Powell
Northeast Region

Terry Stapleton
Southern Region

Raydell R. Moore
Western Region

- 44.
41. If management violates the 12 hour or 60 hour restriction, what is the remedy for said violation?

Response: In instances where this provision is or has been violated and a timely grievance is filed the full-time employee(s) will be compensated at an additional premium of 50 percent of the base hourly straight time rate for those hours worked beyond the 12 or 60 hour limitation. Additional compensation could be awarded if the 60 hour limit is violated with impunity.

Source: MOU between USPS, NALC and APWU, October 19, 1988. National Arbitration Award, H4N-NC-C-21 and H4C-NA-C-27, Mittenthal (fourth issue)

Agreed

42. After a full-time employee reaches 20 hours of overtime within a service week is he/she still available for overtime?

Response: No. Once the employee reaches 20 hours of overtime within a service week, the employee is no longer available for any additional overtime work.

Source: MOU between USPS, NALC, and APWU, October 19, 1988.

Agreed

43. What is management's obligation when an employee reaches the 60th hour of work?

Response: The employee's tour of duty shall be terminated once he/she reaches the 60th hours of work.

Source: MOU between USPS, NALC, and APWU, October 19, 1988; National Arbitration Award, May 12, 1986, Arbitrator Mittenthal, H4N-NA-C-21 (third issue) and H4C-NA-C-27.

Agreed

50. May a 204-B be utilized in lieu of a bargaining unit employee for the purpose of bargaining unit overtime?

Response: The parties have agreed that an acting supervisor (204-B) will not be utilized in lieu of a bargaining unit employee for the purpose of bargaining unit overtime.

It was agreed as well that the PS Form 1723 will determine the time and date an employee begins and ends a detail and that an employee detailed to an acting supervisory position will not perform bargaining unit overtime immediately prior to or immediately after such a detail, unless all available bargaining unit employees are utilized.

Source: Pre-arbitration settlement H1C-5G-C-5929, 3/2/83.

Agreed

51. Does "Holiday Worked Pay" count towards the 56 and 60 hour work limits?

Response: No. "Holiday Worked Pay" is a premium paid to eligible employees for hours worked on a holiday. However, since employees are given credit for paid leave on a holiday, the "Holiday Leave" time would count toward the 56 and 60 hour limits.

Source: ELM 434.123.

Agreed

52. What is the minimum number of hours a part-time flexible employee can be scheduled or requested to work in a service day?

Response: In facilities with 200 or more man years of employment, the guarantee is 4 hours. Employees in all other facilities are guaranteed 2 hours.

Source: Article 8, Section 8.C.

Agreed