

Mr. Cliff Guffey
Assistant Director, Clerk Craft Division
American Postal Workers Union, AFL-CIO
1300 L Street NW
Washington, DC 20005-4128

Re: I90C-4I-C 93046587
Meester, M.
Fargo, ND 58102-9994

Dear Mr. Guffey:

I recently met with you in prearbitration discussion of Case No. I90C-4I-C 93046587. The issue in this grievance is whether or not the grievant was improperly by-passed for conversion to full-time status.


The parties mutually agree that former employees who are re-employed when they have partially or fully overcome job-related injuries or disabilities are entitled to conversion from part-time to full-time status in accordance with the National Agreement.

A PTF rehab employee should not be denied the opportunity to convert to full-time based solely on the fact that they have permanent restrictions. The decision to convert should depend on whether or not the employee is physically capable of performing the duties of the vacant duty assignment, the ability to modify the assignment to accommodate the employee's limitations while maintaining the essential or core duties of the position and compliance with OWCP guidelines. As this will constitute a new job offer, the employee and the treating physician must sign off accepting the job offer and OWCP notified. These considerations are in accordance with the National Agreement under Article 37.5 Conversion/Part-time Flexible Preference and Article 19 incorporating Elm Section 546.


The parties further agreed to remand this case to the regional level for rediscussion and resolution only on the question of what remedy grievant Meester may be entitled to, if any. This action does not prejudice the position of either party concerning procedural arguments which may be raised.

Please sign and return the enclosed copy of this letter as your acknowledgment of agreement to remand this case on the remedy question alone withdrawing Case No. I90C-4I-C 93046587 from the pending national arbitration listing.

Sincerely,



Carol E. McCrerey
Labor Relations Specialist
Grievance and Arbitration



Cliff Guffey
Assistant Director, Clerk Craft Division
American Postal Workers Union,
AFL-CIO

Date: 9-10-98