

MEMORANDUM OF AGREEMENT
BETWEEN THE
AMERICAN POSTAL WORKERS UNION, AFL-CIO
NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO
AND THE
UNITED STATES POSTAL SERVICE

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OFFICE OF
EXECUTIVE VICE PRESIDENT.

In full and complete settlement of the issue of step increase deferrals resulting from poor attendance, as raised in national level grievance H1C-NA-C-10, the parties collectively agree:

Existing instructions clearly provide that repeated, and/or continuous lack of cooperation, poor attendance, failure to produce acceptable work or other similar characteristics, even after individuals have been subjected to discussion of deficiencies during the waiting period, is the basis for determining whether or not an employee's rating is unsatisfactory to receive a step increase. However, an overt act of misconduct, including attendance deficiencies for which an employee has been subjected to discipline, does not, in and of itself, demonstrate that an employee has "repeatedly and/or continually" failed to meet the requirements of the position throughout the waiting period and such an overt act, in and of itself, would not provide a basis for withholding a step increase.

It is further agreed that the determination to grant or deny a step increase rests on the individual fact circumstances present in each instance and must be adjudged accordingly.

In witness whereof the parties hereto affix their signatures below this 14 day of December 1982.

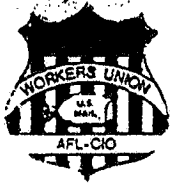
FOR THE
UNITED STATES POSTAL SERVICE:

FOR THE
UNIONS:

W. E. Henry, Jr.
William E. Henry, Jr.
Director
Office of Grievance and
Arbitration
Labor Relations Department

William Burrus
William Burrus
Executive Vice President
American Postal Workers
Union, AFL-CIO

Francis J. Conners
Francis J. Conners
Vice President
National Association of
Letter Carriers, AFL-CIO



37
American Postal Workers Union, AFL-CIO

817 Fourteenth Street, N.W., Washington, D.C. 20005 • (202) 842-4246

WILLIAM BURRUS
Executive Vice President

December 3, 1982

Mr. William Henry, Director
Office of Grievance and Arbitration
Labor Relations Department
United States Postal Service
475 L'Enfant Plaza, S.W.
Washington, D.C. 20260

Re: W. Burrus
Washington, D.C.
HLC-NA-C-10

Dear Mr. Henry:

In response to your letter of November 30, 1982 I submit the following as a resolution to the question of step increase deferral resulting from poor attendance.

Existing instructions clearly provide that repeated, and/or continuous lack of cooperation, poor attendance, and failure to produce acceptable work even after individuals have been counseled on deficiencies during the waiting period is the basis for determining whether or not an employee's rating is unsatisfactory to receive a step increase. However, an overt act of misconduct, including attendance deficiencies for which an employee has been subjected to discipline, does not, in and of itself, demonstrate that an employee has "repeatedly and/or continually" failed to meet the requirements of the position throughout the waiting period and such an overt act,

NATIONAL EXECUTIVE BOARD • MOE BILLER, President

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Director, Mail Handler Division

REGIONAL COORDINATORS
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Western Region
JAMES P. WILLIAMS
Central Region

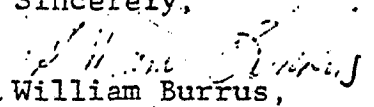
PHILIP C. FLENNING JR.
Eastern Region
NEAL VACCARO
Northeastern Region
ARCHIE SALISBURY
Southern Region

William Henry, Director
Office of Grievance and
Arbitration

December 2, 1982
page 2

in and of itself, would not provide a basis
for withholding a step increase.

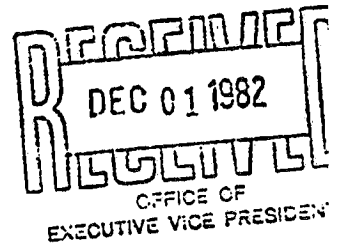
Sincerely,


William Burrus,
Executive Vice President

WB:mc



UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20260



November 30, 1982

Mr. William Burrus
Executive Vice President
American Postal Workers
Union, AFL-CIO
817 14th Street, N.W.
Washington, D.C. 20005

Re: W. Burrus
Washington, D.C.
H1C-NA-C-10

Dear Mr. Burrus:

On October 14, 1982, we met to discuss the above-captioned national level grievance in accordance with the provisions set forth in Article 15, Section 3(d), of the 1981 National Agreement.

The question raised in this grievance is whether an employee's step increase can be deferred solely on the basis of poor attendance.

Existing instructions clearly provide that repeated and/or continuous failure to meet the essential requirements of a position during the waiting period, including attendance requirements, is the basis for determining the eligibility of an employee to receive a step increase. However, an overt act of misconduct, in and of itself, does not demonstrate that an employee has "repeatedly and/or continually" failed to meet the requirements of the position and such an overt act, in and of itself, would not provide a basis for withholding a step increase.

Mr. William Burrus

2

As discussed during our meeting, the determination to grant or deny a step increase rests on the individual fact circumstances present in each instance and must be adjudged accordingly.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. E. Henry, Jr.", with a stylized flourish at the end.

William E. Henry, Jr.
Director
Office of Grievance and
Arbitration
Labor Relations Department