



# American Postal Workers Union, AFL-CIO

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February 15, 1985

THOMAS A. NEILL  
Director  
Industrial Relations



Mr. R. J. Erskine  
National Business Agent, Clerk Division  
American Postal Workers Union, AFL-CIO  
1000 Ashley Drive, Suite 611  
Tampa, FL 33602

Dear Ranny:

It has been brought to my attention that certain jurisdictional issues are being certified for arbitration at the regional level.

Clerk versus mail handler jurisdictional assignments and the proper application of RI-399 continue to cause serious problems for our locals. Our record of success in arbitration involving jurisdictional disputes has been less than good. Therefore, I am suggesting that thorough investigations be conducted prior to certifying and hearing cases involving jurisdictional matters. Moreover, the Mail Handlers do not have a right to intervene in any contractual dispute arbitrated at the regional level arising out of the 1981 National Agreement and henceforth. Such investigations should include a review of RI-399, the Gamser Award in National Case #1311 and the settlement in national cases H1C-NA-C-77 and H1C-NA-C-104. Cases arbitrated at the regional level should involve only a dispute of the facts. Cases involving the interpretation of the appropriate assignment of the disputed work would normally be an interpretive issue and should be sent to Step 4 for review.

In addition, I have enclosed a copy of the Mail Handlers' 1984 contract arbitration award. Please note page 27 refers to the Regional Instruction in its present form (my emphasis). The APWU grieved the February 1984 revision of RI-399 and a copy of that grievance resolution is enclosed. DO NOT BE MISLED. THE USPS CANNOT NEGOTIATE AWAY ANY OF OUR DUTIES WITHOUT OUR AGREEMENT.

Please review your files on jurisdictional disputes carefully. Do not send 72-hour letters to locals involving jurisdictional issues. If a determination is made that the matters involved are fact situations, then the case should be certified for regional arbitration rather than sent to Step 4 as interpretive.

If you have any questions, please contact me. Thank you.

Sincerely and fraternally,

Thomas A. Neill, Director  
Industrial Relations Department

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Enclosures

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