



*Duplex =  
all Stewart  
me  
in  
over time  
not  
light duty*

April 28, 1999

Mr. William Burrus  
Executive Vice President  
American Postal Workers Union, AFL-CIO  
1300 L Street NW  
Washington DC 20005

Dear Bill:

This is in response to your March 17 letter regarding whether a medical restriction from working overtime requires an employee to request light duty under the provisions of Article 13.

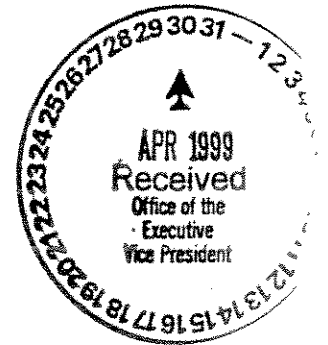
The question of whether the inability to work overtime constitutes light duty was addressed in some detail by Arbitrator Snow in case H1C-5K-C 24191. I refer you to that arbitration award for a complete discussion on the subject. However, the most relevant portion of the award reads as follows:

An inability to work overtime does not necessarily prohibit an employee from performing his or her normal assignment. Accordingly, such an individual working with such a restriction is not necessarily on "light duty." Employees restricted from working overtime may bid on and receive assignments for which they can perform a regular eight hour assignment.

If you have any further questions, please contact Dan Magazu at (202) 268-3825.

Sincerely,

Peter A. Sgro  
Acting Manager  
Contract Administration (APWU/NPMHU)





# American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

William Burrus  
Executive Vice President  
(202) 842-4246

March 17, 1999

Dear Mr. Sgro:

Article 13 of the National Agreement provides that "any full-time regular or part-time flexible employee recuperating from a serious illness or injury and temporarily unable to perform the assigned duties, may voluntarily submit a written request to the installation head for temporary assignment to a light duty or other assignment." This employee option is being interpreted as being applicable when an employee is capable of performing his or her normal work assignment, but is medially restricted to the normal 8 hour work day.

The union interprets the agreement that an inability to work overtime does not necessarily prohibit an employee from performing his or her normal assignment and an individual working with such restriction is not required to request light duty. Employees restricted from working overtime may bid on and receive assignments for which they can perform a regular eight-hour assignment.

Please respond as to the employer's interpretation regarding the above.

Sincerely,

William Burrus  
Executive Vice President

Mr. Peter Sgro  
Labor Relations  
475 L'Enfant Plaza, SW  
Washington, DC 20260

WB:rb

**National Executive Board**

Moe Biller  
President

William Burrus  
Executive Vice President

Robert L. Tunstall  
Secretary-Treasurer

Greg Bell  
Industrial Relations Director

C. J. "Cliff" Guffey  
Director, Clerk Division

James W. Lingberg  
Director, Maintenance Division

Robert C. Pritchard  
Director, MVS Division

**Regional Coordinators**

Leo F. Persails  
Central Region

Jim Burke  
Eastern Region

Elizabeth "Liz" Powell  
Northeast Region

Terry Stapleton  
Southern Region

Raydell R. Moore  
Western Region