



SEP 26 1980

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

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PTF
DAY OFF VERSUS
APPROVE LEAVE

Mr. James Adams  
Administrative Aide, Maintenance Craft  
American Postal Workers Union, AFL-CIO  
817 - 14th Street, NW  
Washington, DC 20005

Re: N. Fry  
Spokane, WA  
A8-W-0853/W8C5DC10816  
APWU - 0853

Dear Mr. Adams:

On September 4, 1980, we met with you to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The matters presented by you as well as the applicable contractual provisions have been reviewed and given careful consideration.

The issue in this grievance is whether or not management violates the intent of Article X of the National Agreement and more specifically Part 513.421 of the Employee and Labor Relations Manual by changing a part-time flexible's schedule workday to a scheduled off day, after he had requested sick leave for that day.

Part 513.421 of the Employee and Labor Relations Manual states "absences due to illness are charged as sick leave on any day that an hourly rate employee is scheduled to work, except National holidays. Except as provided in 513.82, paid sick leave may not exceed the number of hours that he would have been scheduled to work, up to:

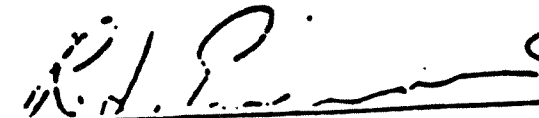
1. A maximum of eight (8) hours in any one day.
2. Forty (40) hours in any one week.
3. Eighty(80) hours in any one pay period."


It is our position that if a part-time flexible makes a valid request for sick leave on the day he is scheduled to work, and he has not exceeded forty (40) hours by that time, his scheduled workday should not be unilaterally changed to an off day, solely, to make him available for an extra day's work at straight time.

If you concur with our position as stated above, we can mutually agree to remand this case back to Step 3 for application based on the facts in this grievance.

Please sign a copy of this decision as your acknowledgment of agreement to remand this case.

Sincerely,

  
Robert L. Eugene  
Labor Relations Department

  
James Adams  
Administrative Aide, Maintenance  
Craft  
American Postal Workers Union,  
AFL-CIO