



American Postal Workers Union, AFL-CIO

1300 L Street, NW, Washington, DC 20005

Article 15 – Step 4 Grievance

William Burrus
President
(202) 842-4796

October 22, 2009

Sent Via Facsimile and First Class Mail

Mr. Doug Tulino
Vice President, Labor Relations
U.S. Postal Service, Room 9014
475 L'Enfant Plaza
Washington, D.C. 20260

Re: Step 4 Grievance, Supervisor and Management Performance of
Bargaining Unit Work at Smaller Offices
APWU No. HQTG200917

National Executive Board

William Burrus
President

Cliff Guffey
Executive Vice President

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Director, Clerk Division

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Director, Maintenance Division

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Director, MVS Division

Bill Manley
Director, Support Services Division

Sharyn M. Stone
Coordinator, Central Region

Mike Gallagher
Coordinator, Eastern Region

Elizabeth "Liz" Powell
Coordinator, Northeast Region

William E. "Bill" Sullivan
Coordinator, Southern Region

Omar M. Gonzalez
Coordinator, Western Region

Dear Mr. Tulino:

Pursuant to Article 15, Section 4.D, the APWU hereby initiates a Step 4 dispute over the performance of bargaining unit work by non-bargaining unit employees in violation of Article 1.6.B of the National Agreement in level 15, 16, 17 and 18 offices. The Postal Service has systematically reassigned bargaining unit work in violation of the principles of the Garret and Das interpretive decisions on the assignment of bargaining unit work.

If the Postal Service disputes the fact that there has been a reassignment of bargaining unit work, we hereby renew our request that the Postal Service provide the APWU with data showing the work hours of bargaining unit employees and non-bargaining unit employees, and mail volume, in offices of the size in question at the time of the Das Award, in 2003, and currently.

If the Postal Service contends that the reassignment of bargaining unit work is justified by an exception identified in the Garret or Das Awards, we request that you state what the exception is and inform us how it has been applied in each office where you contend it applies.

If the Postal Service contends that bargaining unit work has been reassigned through the "good faith application of management rights," we request that you provide us information showing that the Union was informed in each office where management rights were invoked, when they were invoked, and when the Union was notified that this was being done. If you contend that the Employer had no obligation to inform the Union when it reassigned bargaining unit work in that manner, we request that you tell us how the decision was made to invoke management rights and who made that decision in each case in which it was done.

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If the Postal Service intends to rely on the reduction of mail volume as a justification of its actions in reassigning bargaining unit work, the Union requests that the Employer provide work hour and volume data at the time of the Das Award (2003) and the comparable data for 2009.

As a remedy for the violations of Article 1.6.B, the APWU requests that the work be returned to the Union and individuals in the bargaining unit be made whole.

Please contact my office to arrange a meeting to discuss this dispute. If the Postal Service wishes to discuss the merits of this dispute before the Step 4 meeting required by Article 15.4.D, please contact me directly.

Sincerely,

William Burrus
President

cc: Greg Bell
Mike Morris

WB:RB <http://opeiu#2:afj-cio>