

USE OF SCHEDULED SL FOR DISCIPLINE Mike C

November 26, 1996

TO: All Stewards

In October, Arbitrator Fletcher ruled on the grievance regarding Mr. Dooley's Call-In Policy. This policy dealt with employee's requirement to call in everyday if they could not give a definite date of return to work. It also dealt with supervisors considering scheduled and unscheduled sick leave when reviewing the employee's attendance records. Arbitrator Fletcher ruled that whether or not a supervisor considered or included scheduled absences in issuing discipline or assessing attendance was not the issue before him. He further ruled that if we felt it was improper to issue discipline on the basis of scheduled absences then a grievance could be filed on past practice. That is what we will be doing in all future grievances for discipline that cites scheduled absences.

In your contentions you will argue that the union contends that in this office it has never been a practice to use scheduled absences against an employee. I have included numerous arbitration decisions in this packet to show that scheduled absences have not been used in the past. The best award is the one by Arbitrator Stallworth in the Theresa Moore arbitration. He states in 5 different statements in the award that the policy in the Des Moines Installation was not to discipline for scheduled absences. I have underlined the pertinent statements for your arguments.

With this notice, I am enclosing 9 different documents that you will need to include in any grievance where scheduled absences have been included in discipline notices. Most deal with the scheduled absence issue but one deals with past practice. All documents have the pertinent arguments underlined for you. Make sure you make your contention on past practice and include all of these documents in your grievance package.

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DES MOINES, IOWA AREA LOCAL

AMERICAN POSTAL WORKERS UNION, AFL-CIO

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In the arbitration hearing held on September 6, 1996 for Case Number I90C-1I-C 95039549, the management advocate, Marcia Grant, stated on numerous occasions that it has not been the policy of the Des Moines, Iowa Installation to use scheduled sick leave for discipline purposes. She further stated that the policy letter issued by John Dooley, Lead Plant Manager, on January 17, 1995 was not intended to change that policy. She stated that it was not management's intent to change anything in the issuance of discipline. She argued that scheduled leave could be considered but not cited.

A handwritten signature in cursive script, reading 'Barbara J. VerSteegh', is positioned above the typed name.

Barbara J. VerSteegh
President