



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

December 3, 1982

Mr. Gerald Anderson
Assistant Director
Clerk Division
American Postal Workers
Union, AFL-CIO
817 - 14th Street, N.W.
Washington, D.C. 20005

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|---------------|------|
| ARTICLE | 19 |
| SECTION | ELM |
| SUBJECT | |
| EX. ORDER | 5396 |
| STEP INCREASE | |

Re: R. Halterman
Des Moines, IA 50318
H1C-4M-C-3045

Dear Mr. Anderson:

On July 16 and November 4, 1982, we met 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 question in this grievance is whether management violated the national agreement by deferring the grievant's step increase.

The union contends that the grievant's absences were due to disability resulting from military service, and under the provisions of Executive Order No. 5396 should not have his step increase deferred.

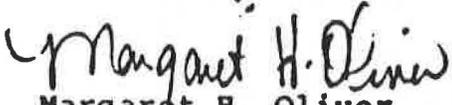
A review of the information provided established that the step increase deferment did not violate postal regulations or the national agreement. The step increase was withheld because the grievant was in an LWOP status more than 13 weeks during the waiting period. The action was in full accord with ELM 422.331 as the absences were not due to a condition listed in that regulation for exception to its provisions. With regard to the executive order cited, it is our position that it no longer applies to the Postal Service.

Mr. Gerald Anderson

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Accordingly, we find no contractual violation and the grievance is denied.

Sincerely,



Margaret H. Oliver
Labor Relations Department