



EMPLOYEE AND LABOR RELATIONS GROUP
Washington DC 20260

MAR 30 1979

ARTICLE	19
SECTION	6670
SUBJECT	FORFEITURE LEAVE

Mr. William J. Kaczor
Executive Vice President, Maintenance Craft
American Postal Workers Union, AFL-CIO
817 - 14th Street, NW
Washington, DC 20005

Re: C. Gaines
Union, SC
AC-S-23925/A5-CA-20198
APWU - 23925

Dear Mr. Kaczor:

On June 27, 1978, 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.

Based upon the evidence contained in the file, and that obtained subsequent to our meeting, we have agreed to settle this grievance. This settlement is without precedent and without prejudice to the position of either party. It may not be cited by either party in any future grievance, hearing, arbitration or for any other purpose.

In full and final settlement of this grievance, the grievant, J. D. Gaines, will be excused from duty during the course of the current leave year (1979) for a total of eighty (80) hours without the absence(s) being charged to his accrued leave. In addition to the eighty (80) hours with which this grievance is concerned, Mr. Gaines also will be responsible for using any accrued annual leave that he currently has in excess of 240 hours during the course of this leave year in order to avoid forfeiture of such leave. This settlement

pertains only to the eighty (80) hours in question in this grievance and has no bearing on any leave that may be forfeited by the grievant at some future date.

Please sign the attached copy of this letter as your acknowledgment of the agreed to settlement.

Sincerely,


George S. McDougald
Labor Relations Department


William J. Kaczor
Executive Vice President
Maintenance Craft
American Postal Workers Union,
AFL-CIO

The grievant worked as a Rural carrier from June of 1949 to June of 1952. During that time he was not credited with the proper Annual leave. He was given that leave of 112 hours on pay card #23-7. Since this was so late in the year, his pay card #3-78 removed 80 hours of annual leave because it could not be carried over. Management now contends that he must foreit that leave because he did not take it and could not carry it over. The Union has stated that management realizes their error and cannot correct at their level and must be decided with a step 4 meeting at the National level.