



UNITED STATES POSTAL SERVICE

475 L'Enfant Plaza, SW  
Washington, DC 20260

November 10, 1983

ARTICLE	9
SECTION	
SUBJECT	EXCESSIVE LWOP

Mr. Thomas Neill  
Director, Industrial Relations  
American Postal Workers  
Union, AFL-CIO  
817 - 14th Street, N.W.  
Washington, D.C. 20005-3399

Re: R. RIX  
Milwaukee, WI 53203  
HLT-4J-C 12162

Dear Mr. Neill:

On November 3, 1983, I met with your representative, Mike Benner, to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The question in this grievance is whether management violated Article 19 of the National Agreement by deferring the grievant's step increase.

The union contends that the grievant's absences were for the purpose of receiving treatment for a service-connected disability and, under the provisions of Executive Order 5396, should not have resulted in the deferment of his step increase.

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.