

Billers District

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Free Court Leave



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

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OFFICE OF
PRESIDENT

ARTICLE	10
SECTION	
SUBJECT	
COURT LEAVE	

Mr. Moe Biller
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Mr. Vincent R. Sombrotto
President
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Gentlemen:

As you may be aware, the Postal Service's court leave regulations have been called into question in certain discrimination suits brought against the Postal Service. Most recently, in Stup v. Bolger, Civil Action No. 83-0205-A (February 7, 1984), a district court held that our denial of compensation to an employee testifying on behalf of a Title VII plaintiff was inequitable. While we believe that our court leave regulations are legally sound, and that the decision in the Stup case does not require any change in those regulations, we recognize an element of unfairness in not providing compensation for plaintiffs' witnesses in such cases. Accordingly, the Postal Service proposes to expand the definition of court leave contained in section 516.31 of the Employee and Labor Relations Manual, as follows (substantive changes underscored):

516.31 Definition. Court leave is the authorized absence from work status (without loss of, or reduction in, pay, leave to which otherwise entitled, credit for time or service, or performance rating) of an employee who is summoned in connection with a judicial proceeding, by a court or authority responsible for the conduct