



1980

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

JUL 25 1980

ARTICLE	10
SECTION	
SUBJECT	COURT LEAVE
	WITNESS

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

Re: J. Guilda  
Gardena, CA  
A8-W-0750/W8C5BC8988  
APWU - 0750

Dear Mr. Kaczor:

On July 3, 1980, we met on the above-captioned case at the fourth step of the contractual grievance procedure set forth in the 1978 National Agreement.

During our discussion, we concluded that the question in this grievance is whether a postal employee subpoenaed at the request of the defense and not the Postal Service, to testify in a Federal Court concerning his/her official duties, is entitled to compensation under Part 516.4 of the Employee and Labor Relations Manual.

After reviewing the information in the file, we mutually agreed that an employee subpoenaed by proper authority to testify in a Federal court about his official duties as a postal employee, whether the request for subpoena was initiated by the defense or the prosecution, is in a compensable status under Part 516.4 of the Employee and Labor Relations Manual. Proper documentation should be submitted.

Of course, if the Postal employee was called to testify as a "character witness" or for other non-official purposes, he is not entitled to compensation under Part 516.4.

Accordingly, we mutually agreed to remand this grievance back to Step 3 for a determination by the parties at that level of the nature of the grievant's testimony and to dispose of the case.