



UNITED STATES POSTAL SERVICE
Labor Relations Department
475 L'Enfant Plaza, SW
Washington, DC 20260-4100

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JUL 1 1989

Mr. Cliff J. Guffey
Assistant Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO
1300 L Street, N.W.
Washington, DC 20005-4107

APWU
CLERK DIVISION: 14
Smoking
To ARB

Re: H7C-4S-C 15983
CLASS ACTION
Detroit Lakes, MN 56501

H7C-46-C 13606
CLASS ACTION
Warsaw, IN 46580

Dear Mr. Guffey:

On July 7, 1989, we met to discuss the above-captioned grievances at the fourth step of our contractual grievance procedure.

The issue in these grievances is whether the Postal Service is required to make building modification expenditures for building construction, modification or equipment to provide designated smoking areas which meet ASHRAE ventilation design standards.

It is our position that no national interpretive issue involving the terms and conditions of the National Agreement is fairly presented in these cases. However, inasmuch as the union did not agree, the following represents the decision of the Postal Service on the particular fact circumstances involved.

Section 883.12 of the Employee and Labor Relations Manual clearly and unambiguously states in part; "Building Modification Expenditures for building construction, modification or equipment to provide suitable smoking areas are permitted but not required." Furthermore, the union raised no objection to the proposed language of Chapter 880 of the ELM when the draft was provided on January 22, 1988 for their review and input prior to publication, nor at the February 19 meeting as provided for by Article 19 of the National Agreement. Therefore, these grievances are denied.