

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

APWU
CLERK DIVISION

Mr. James Connors
Assistant Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO
817 14th Street, N.W.
Washington, D.C. 20005-3399

MAY 2 1985
SECTION 15
SUBJECT
Stewart Step

Re: C. Smith
West Palm Beach, FL 33401
H1C-3W-D 40253

Dear Mr. Connors:

On May 2, 1985, we met to discuss the above-captioned case at the fourth step of our contractual grievance procedure. We again discussed this matter on May 14, 1985.

The issue in this grievance is whether management properly settled the adverse action in question at a lower stage in the grievance-arbitration procedure.

After further review of this matter, we mutually agreed that there was no national interpretive issue fairly presented in this case. Whether the union, in this instance, was a participant in grievance discussions at Step 1 is a local factual dispute.

Should a union representative participate in a Step 1 grievance discussion, at the request of the aggrieved employee, the union representative shall also participate in reaching a settlement of the case. If the employee does not request union representation, however, management has no contractual obligation to include the union in any settlement of the said grievance at Step 1.

Accordingly, as we further agreed, this case is hereby remanded to Step 3 for application of the above provisions.

Please sign and return the enclosed copy of this decision as acknowledgment of our agreement to remand this grievance.

Time limits were extended by mutual consent.

Sincerely,

Muriel Aikens
Muriel Aikens
Labor Relations Department

James Connors
James Connors
Assistant Director
Clerk Craft Division
American Postal Workers Union,
AFL-CIO