



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

September 21, 1982

Mr. Gerald Anderson  
Executive Aide, Clerk Craft  
American Postal Workers Union, AFL-CIO  
817 - 14th Street, NW  
Washington, DC 20005

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|----------------|----|
| ARTICLE        | 16 |
| SECTION        |    |
| SUBJECT        |    |
| WRITTEN NOTICE |    |
| EMERGENCY      |    |

Re: O. Thomas  
Kansas City, MO 64108  
H1C-4H-C-2381

Dear Mr. Anderson:

On September 18, 1982, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The matters presented by you as well as the applicable contractual provisions have been reviewed and given careful consideration.

The question in this grievance is whether management violated Article 16 of the National Agreement by placing the grievant in a non-pay, non-duty status on November 27, 1981. At Step 4, the position of the Union was that improper procedures were followed in that the grievant was not given a written notification as is required under the provisions of Article 16 for acts of insubordination; and that the emergency provisions of that article would not be applicable when an act of insubordination is involved.

It is our position that no National interpretive issue involving the terms and conditions of the National Agreement is fairly presented in this case. Inasmuch as the Union declined mutual agreement in this regard, however, the following represents the decision of the Postal Service on the particular fact circumstances involved.

Having carefully reviewed the information provided, we find no justification for disturbing the action taken by local management.