



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

JAN 17 1980

ARTICLE	37
SECTION	204
SUBJECT	Seniority
	Return to BU

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

Re: APWU - Local
Bozeman, MT
A8-W-0478/W8C5LC-5827
APWU - 0478

Dear Mr. Anderson:

On January 16, 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 at issue in this grievance is whether management has properly handled the personnel action involved in returning to a bargaining unit position an employee now in the non-bargaining unit; in particular regard to seniority, rights, and privileges.

After reviewing the information provided, it is our position that the issue raised is not interpretive. It has been management's consistent policy to return a former full-time regular bargaining unit employee to the bargaining unit as a full-time regular with a new seniority date effective the date of transfer to the bargaining unit.

Thus, management believes no violation of the National Agreement has occurred, and this grievance is therefore denied.

Sincerely,

William A. Stefl
Labor Relations Department

I N T E R P R E T A T I O N
Article XII, Section 2. B. 1. 2.

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A8-W-478
A8-S-597
Bozeman, Montana
Cocoa, Florida

EMPLOYEE BEGINS NEW PERIOD OF SENIORITY AS
FULL-TIME REGULAR WHEN RETURNED TO
BARGAINING UNIT POSITION AFTER 2 YEARS

Article XII, Section 2.B.1.2:

"An employee who left the bargaining unit on or after
July 21, 1973 and returns to the same craft:

1. will begin a new period of seniority if the
employee returns from a position outside the
Postal Service; or
2. will begin a new period of seniority if the
employee returns from a non-bargaining unit
position within the Postal Service, unless
the employee returns within 2 years from the
date the employee left the unit."

The instant grievance concerns a supervisor returning to the clerk
craft effective August 25, 1979, having left the bargaining unit
4/10/76.

The Union asserts the supervisor should have been returned to the
clerk craft at the bottom of the part-time flexible roll rather than
as an unassigned regular with a new seniority date of 3/25/79.

Management maintained the employee retained his full-time regular
status, but began a new period of seniority.

Step 4 decision, January 17, 1980:

"During our discussion, we concluded that at issue in this
grievance is whether management has properly handled the
personnel action involved in returning to a bargaining
unit position an employee now in the non-bargaining unit;
in particular regard to seniority, rights, and privileges.

"After reviewing the information provided, it is our posi-
tion that the issue raised is not interpretive. It has
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