



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

October 14, 1982

Mr. Gerald Anderson
Executive Aide, Clerk Craft
American Postal Workers Union,
AFL-CIO
817 - 14th Street, N.W.
Washington, D.C. 20005

ARTICLE	37
SECTION	2 D 6 d(1)
SUBJECT	SENIORITY
	RETURN FROM EAS

Re: M. Bomse
Miami, FL 33152
E1C-3W-C 7842

Dear Mr. Anderson:

On September 13, 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 the National Agreement when an employee, who left the bargaining unit and returned to the same craft, was required to begin a new period of seniority.

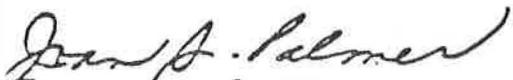
In this case, the grievant was involuntarily reduced in grade from Safety Technician, EAS-11 to Distribution Clerk, PS-5. Upon his return to the craft on July 14, 1979, management required the grievant to begin a new period of seniority because he had served in a non-bargaining unit position from May 26, 1976, until July 13, 1979.

The Union contends that management must invoke the provisions of Article 37.D.7.d. (3) or (4) whenever an employee returns to the craft from any position, bargaining or non-bargaining unit, for which selection was based on best qualified. The position involved had been filled on the basis of best qualified. Therefore, the Union believes that the grievant is entitled to his former seniority plus seniority accrued in the position outside the craft.

It is the position of the Postal Service that the grievant's seniority was properly computed in accordance with the provisions of Article 12.2.B.2. Moreover, we believe that the provisions of Article 37.2.D.7.d. (3) or (4) are applicable only in instances when bargaining unit employees return to craft positions.

Accordingly, as we find no violation, this grievance is denied.

Sincerely,



Joan S. Palmer
Labor Relations Department