



UNITED STATES POSTAL SERVICE

475 L'Enfant Plaza, SW  
Washington, DC 20250

March 11, 1982

Mr. Wallace Baldwin, Jr.  
Administrative Vice President,  
Clerk Craft  
American Postal Workers Union,  
AFL-CIO  
817 - 14th Street, N. W.  
Washington, D. C. 20005

ARTICLE	<u>37</u>
SECTION	<u>3 F 4c</u>
SUBJECT	<u>Previous Failure</u>

Re: J. Cogan  
Alhambra, CA 91899  
H1C-5G-C 1010

Dear Mr. Baldwin:

On March 5, 1982, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure as set forth in Article 15, Section 2 of the National Agreement.

The dispute at issue in the instant grievance is whether the grievant was improperly denied a bid on an MPLSM position.

After further review of the matter, we mutually agreed that there was no National interpretive issue fairly presented as to the meaning and intent of Article 37, Section 3.F.4.c of the National Agreement. However, it was agreed that the circumstances of the case must be reviewed and evaluated, and that the following factors should, if they have not, be considered:

1. the length of time since the last failure to complete the prescribed training successfully;
2. the point in the training where the failure occurred;
3. the cause of the failure; and,
4. whether the reason for the prior failure continues.

Accordingly, as we further agreed, this case is hereby remanded to Step 3 for further development and consideration, to the extent discussed above, if necessary.

Please sign and return a copy of this decision as acknowledgment of agreement to remand this grievance.

Sincerely,

*Harvey White*

Harvey White  
Labor Relations Department

*Wallace Baldwin, Jr.*

Wallace Baldwin, Jr.  
Administrative Vice President  
Clerk Craft  
American Postal Workers Union,  
AFL-CIO