

SEP 17 1982



UNITED STATES POSTAL SERVICE

475 L'Enfant Plaza, SW
Washington, DC 20260

September 16, 1982

ARTICLE	37
SECTION	3 F 10
SUBJECT	
PLACEMENT	
INTO PREVIOUSLY	
FAILED ASSIGN	

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

Re: APWU - Local
Wichita, KS 67277
HLC-4H-C-7268

Dear Mr. Baldwin:

On September 1, 1982, we met to discuss the above-captioned case at the fourth step of the contractual grievance procedure set forth in the 1981 National Agreement.

The question raised in this grievance involved whether or not management properly determined the existence of a residual vacancy. If not, was an unassigned regular improperly placed in the residual assignment?

In this grievance, an unassigned regular bid on an assignment and failed to qualify on the scheme requirements during the deferment period. As there were no other qualified bidders at the completion of the voluntary bidding process, the assignment remained vacant. The unassigned regular, who was the unsuccessful bidder, was assigned to that position. The Union contends that management is obligated to repost the duty assignment before invoking the provisions of Article 37.3.F.10.

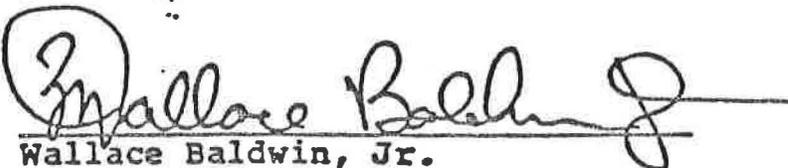
During our discussion, we agreed that there is no dispute between the parties at the National level that residual vacancies are those positions that remain vacant after the completion of the voluntary bidding process. We further agreed that once the voluntary bidding process has been completed, management is not required to repost vacant duty assignments and is authorized to place an unassigned regular, who does not bid or is the unsuccessful bidder, in any residual assignment.

Accordingly, as we further agreed, this case is hereby remanded to the parties at Step 3 for further processing if necessary.

Please sign a copy of this letter as your acknowledgment of agreement to remand this case.

Sincerely,


Joan S. Palmer
Labor Relations Department


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