

Local Grievance # _____

Issue Statement (Block 15 of PS Form 8190):

1. Did management violate Chapter 2 of Handbook M-41, *City Delivery Carriers Duties and Responsibilities*, via Article 19 of the National Agreement in the **[Station/Post Office]** on **[date]** by not providing Letter Carriers with a Carrier Throwback Case with proper separations as required by Section 243 of Handbook M-41, and if so, what should the remedy be?
2. Did management violate Chapter 1 of Handbook M-39, *Management of Delivery Services*, via Article 19 of the National Agreement in the **[Station/Post Office]** on **[date]** by failing to provide the proper handling of Forwardable and Undeliverable mail, and if so, what should the remedy be?

Union Facts and Contentions (Block 17 of PS Form 8190):

Facts:

1. Letter Carriers **[Name(s)]** delivered **[route #s]** on **[dates]**.
2. On **[dates]**, Letter Carriers **[Name(s)]** were not given the opportunity by management to properly handle Forwardable and Undeliverable Mail.
3. Section 243 of Handbook M-41 Handbook states:

Undeliverable as addressed mail is disposed of according to separations of Carrier Throwback Case (see exhibit 243). The delivery address should never be lined out or obscured on any mailpiece. Following are descriptions of separations in the throwback case:

- a. *Missorts — First-Class Mail misthrown to the route and deliverable at the same unit.*
- b. *Loop Mail — Incorrectly barcoded and/or ZIP coded mail discovered at a destination for which it is not addressed.*
- c. *Box Mail — Mail received at the carrier's case that belongs in the post office box section.*
- d. *Endorsed Bundles — Attempted Not Known, Insufficient Address, Undeliverable As Addressed (UAA), No Such Number.*

- e. *Endorsed Individual (each piece must be individually endorsed) — Deceased, Temporarily Away, Refused, No Mail Receptacle, Vacant.*
- f. *Missorts — Non-Pref. Flats, Standard Mail (A), other-size mail misthrown to the route and deliverable at the same unit.*

4. Section 117.1.c of Handbook M-39 Handbook states:

Throwback Cases. Place to minimize walking. For example, put one throwback case at the end of every other aisle.

5. Section 117.1.i of Handbook M-39 states:

Markups. Carriers will place mail sorted to required removal categories (such as: "Moved — Left No Address," "Attempted, Not Known," "No Such Number," and "No Obvious Value Mail," etc.) in the throwback cases as they depart for their route. They will also leave undeliverable as addressed mail, sorted to A to Z separations, in the designated location at that time.
M-39 Management of Delivery Services

6. Section 126.13 of Handbook M-39 states:

Examine carrier throwback case (see exhibit 126.13) to be sure mail has been processed properly.

7. Article 19 of the National Agreement states in relevant part:

Those parts of all handbooks, manuals and published regulations of the Postal Service, that directly relate to wages, hours or working conditions, as they apply to employees covered by this Agreement, shall contain nothing that conflicts with this Agreement, and shall be continued in effect except that the Employer shall have the right to make changes that are not inconsistent with this Agreement and that are fair, reasonable, and equitable.

8. JCAM page 19-1 states:

Handbooks and Manuals. Article 19 provides that those postal handbook and manual provisions directly relating to wages, hours, or working conditions are enforceable as though they were part of the National Agreement. Changes to handbook and manual provisions directly relating to wages, hours, or working conditions may be made by management at the national level and may not be inconsistent with the National Agreement. A challenge that such changes are inconsistent with the National Agreement or are not fair, reasonable, or equitable may be made only by the NALC at the national level.

Contentions:

1. Management violated Article 19 of the National Agreement on **[date(s)]** by not providing Letter Carriers the proper equipment, Carrier Throwback Case, to perform their duties outlined in Section 243 Handbook M-41 as it relates to the proper disposition of Forwardable and Undeliverable Mail. **[Explain specifics]** This fact is supported by statements from Letter Carrier(s) **[Name(s)]** in the grievance file.
2. Article 19 contains the process by which the Postal Service may propose changes to handbooks and manuals. The union contends management has not notified the union at the national level of changes to either the M-39 or the M-41 regarding the disposition of Forwardable and Undeliverable Mail.
3. The union contends that due to management's failure to properly change the handbook language, the current language must remain and violations are enforceable through the grievance/arbitration procedure via Article 19.

Remedy (Block 19 of PS Form 8190):

1. That management cease and desist violating Chapter 2 of Handbook M-41 and Chapter 1 of Handbook M-39 via Article 19 of the National Agreement.
2. That management shall provide Letter Carriers a properly marked Carrier Throwback Case with the proper separations immediately, in accordance with Handbook M-41 and M-39 Handbook.
3. That management shall ensure the proper handling of Forwardable and Undeliverable Mail as required by Chapter 1 of Handbook M-39 Handbook and as outlined in Chapter 2 Handbook M-41 Handbook.
4. Letter Carrier(s) **[Name(s)]** be paid a lump sum of \$50.00 for each violation to encourage contract compliance.
5. All payments associated with this case be made as soon as administratively possible, but no later than, 30 days from the date of this agreement. Proof of payment be provided to **[NALC Official]** upon payment.



National Association of Letter Carriers Request for Information

Date _____

Supervisor Customer Services

Station/Installation

Dear _____,

Pursuant to Article 17 and 31 of the National Agreement, I am requesting the following information:

1. Workhour/workload reports for **[dates]**.

I am also requesting time to interview the following individuals:

1. **Name**
2. **Name**
3. **Name**

Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,

_____ Request received by: _____

Shop Steward
NALC

Date: _____



National Association of Letter Carriers Request for Steward Time

To: _____
(Manager/Supervisor)

Station/Post Office

Manager/Supervisor _____

Pursuant to Article 17 and 31 of the National Agreement, I am requesting the following steward time to investigate a grievance. I anticipate needing approximately _____ (hours/minutes) of steward time, which needs to be scheduled no later than _____ in order to ensure the timelines established in Article 15 are met. In the event that more steward time is needed, I will inform you as soon as possible. Your cooperation in this matter will be greatly appreciated. If you have any questions concerning this request, or if I may be of assistance to you in some other way, please feel free to contact me.

Sincerely,

Shop Steward
NALC

Request received by: _____
Date: _____