



STEP B DECISION

Step B Team: Warren Wehmas
Dan Davids

Decision: Resolved
USPS Number: K11N-4K-C 16671181
Grievant: Hutesh Bansal
Branch Grievance Number: 53-16-GA28
Branch: 3825
Installation: Rockville
Delivery Unit: Twinbrook Station
State: MD
Incident Date: 06/04/2016
Date Informal Step A Initiate: 06/18/2016
Formal Step A Meeting Date: 07/22/2016
Date Received at Step B: 08/04/16
Step B Decision Date: 08/05/16
Issue Code: 15.2000
NALC Subject Code: 505006
Original Step B Received Date: 07/25/2016
Date Sent to Assisting Team: 08/03/16

Capital District:

Formal A Reps:
NALC: V.Walker
USPS: B. Akinsanya

ISSUE: Did Management violate Articles 15 and 19 of the National Agreement and the Rockville Call-back Policy? If so, what is the appropriate remedy?

DECISION: The Dispute Resolution Team has **resolved** this grievance. Based on the information contained in the case file, Management was in violation of the Rockville Call-back Policy in the instant grievance. The grievant will be paid a lump sum of three hundred dollars (\$300.00) and NALC Branch 3825 will be paid a lump sum of seven hundred fifty dollars (\$750.00).

EXPLANATION: The grievant filled out a 3996 the morning of June 4, 2016 estimating 1:15 of overtime to finish the route that day. Management subsequently disapproved the request authorizing overtime. The Rockville Call-back Policy states: carriers unable to complete their assignments in the allotted time will call back by 3:00 PM or as soon as they become aware that they will be unable to complete their assignment in the authorized time. Supervisors will inform the carrier to carry the mail or bring the mail back to the Post Office. If the instruction is to carry the mail, inherent in that instruction is that the time used to carry the mail will be authorized, unless the carrier does not have a reason for requesting the additional time.

The Union contends on June 4, 2016, H. Bansal (grievant) called back to the office and spoke to Supervisor J. Hsueh to notify her that he would not be able to make it back to the office by the negotiated time. The union contends the grievant was informed to carry his mail but that any overtime incurred would be unauthorized. The union alleges that Hsueh violated the call back policy by giving the grievant two (2) sets of instructions.


Management contends that they have the right to ask for a reason for the additional time according to the Call-back Policy. Management contends that the 3996 filled out by the grievant requesting additional time was denied and that the grievant failed to give a legitimate reason to justify his expansion. Management also contends that when the grievant called Management to request additional time that day, he never gave Management a legitimate reason to justify the expanded street time. Management cites the Call-back Policy has language that allows them to question the carrier if additional time is requested to complete their duties.

The case file contains a PS Form 3996 submitted by the grievant requesting 1:15 of overtime. Management denied the request without further instruction as to how the grievant was to complete his route without incurring overtime. When the grievant called in to fulfill his obligation under the local policy, Management instructed him to complete all his delivery and informed him that any overtime incurred would be unauthorized. The grievant was given conflicting instructions and the fact that he was told to complete his delivery means that the overtime was authorized according to the local policy and a violation occurred.


Based on the information in the case file, the Step B Team finds that Management gave two (2) conflicting instructions to the grievant. These instructions were in conflict with the Rockville Call-back Policy. Therefore, Management was in violation of the National Agreement.

Grievance File Contents:

- PS Form 8190
- Table of Contents
- Management Contentions
- Union Contentions
- Management Additions/Corrections
- Union Additions/Corrections
- Grievants Statement Page (2)
- Employee Everything 6/04/2016
- PS Form 3996
- JCAM Page 15-1
- JCAM Page 19-1
- CDRAAP Unit Summary Report
- Prior Grievance Settlements

 8/5/16

Dan Davids Date
USPS Representative

 8/5/16

Warren Wehmas Date
NALC Representative