

CAPITAL METRO AREA  
NALC/USPS STEP B  
DISPUTE RESOLUTION TEAM



**STEP B DECISION**

**CAPITAL METRO AREA**  
**NALC/USPS STEP B**  
**DISPUTE RESOLUTION**  
**TEAM**

**DISTRICTS**  
**CAPITAL**  
**BALTIMORE**  
**NORTHERN VIRGINIA**

**DECISION: Resolved**  
**USPS NUMBER: K01N-4K-C05027583**  
**GRIEVANT: Class**  
**BRANCH GRIEVANCE NUMBER: 557**  
**BRANCH: 3939**  
**INSTALLATION: Gaithersburg**  
**DELIVERY UNIT: Montgomery Village**  
**STATE: MD**  
**DATE STEP A INITIATED: 11/10/04**  
**STEP A MEETING DATE: 12/16/04**  
**DATE RECEIVED AT STEP B: 12/21/04**  
**STEP B DECISION DATE: 12/22/04**  
**ISSUE CODE: 11.6300**

**ISSUE**

**Did Management violate Article 11.6.B of the National Agreement when they forced carriers to work their NS day for holiday scheduling before working all PTFs'/Casuals' to the maximum extent possible and if so, what is the appropriate remedy?**

**DECISION**

**The Dispute Resolution Team has resolved this grievance. The following carriers will be paid additional 50% for all hours worked on 11/10/04 at their base hourly straight time rate. Moreno/Ho. No other remedy is issued.**

*Action required*

## **EXPLANATION**

Three PTFs' worked the following time on 11/10/04 "designated holiday" 7.26 hrs; 9.06 hrs; 9.01 hrs. Casual worked 6.56 hrs. Four full-time carriers worked less than 8hrs. 7.54 hrs; 5.65 hrs; 7.64 hrs; 6.30 hrs. Fifty-four (54) carriers worked with forty-eight (48) assignments

Management contends they have the right to determine the amount of carriers needed and amount allowed off and that is just what they did. They allowed four (4) carriers off and worked PTF's/Casual less than 10 hours because the anticipated heavy mail volume did not occur. The carriers that worked less than 8 hours either had pre-approved leave or worked their routes faster than normal.

Union contends PTF's /Casual were not maximum to the extent possible, even if the payment of overtime is required before forcing carriers to work the designated holiday. Clearly, the PTF's/Casual did not work to the maximum extent possible and full-time carriers worked less than eight (8) hours. Management did not need 54 carriers to cover 48 assignments. Therefore, five (5) carriers that did not volunteer, were forced to work their NS day should not have been scheduled to work.

After carefully reviewing all the facts and documentation in this case, the Team agreed the fact circumstance is PTF's/Casual were not worked to the maximum extent possible (11 1/2 hours) and full-time regulars did not work eight (8) hours. This clearly shows the Team, Management had over 16 hours that were not maximized therefore; they did not have to force two carriers in to work on 11/10/04. The JCAM, page 11-3 number one (1) of the pecking order makes it clear, that all PTF's/Casual's work the maximum extent possible before, non-volunteers are forced to work.

Therefore, the Team finds it wholly appropriate in this instance, to render the above stated decision.

Case File Inventory has 18 pages

*Patrick J. Nolan 12-21-04*

**Patrick J. Nolan**  
**NALC Step B Representative**

*Michael H. Boggs 12-22-04*

**Michael H. Boggs**  
**USPS Step B Representative**

**CC: Step A Parties**  
**District Labor Relations**  
**National Business Agent**  
**Capital Metro Labor Relations**