



**STEP B DECISION**

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

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

**DECISION: RESOLVED**  
**USPS GATS#: K01N-4K-C 06202322**  
**GRIEVANT: Class Action**  
**BRANCH GRIEVANCE NUMBER: CB-012**  
**BRANCH: 3939**  
**INSTALLATION: 23-3528**  
**DELIVERY UNIT: Montgomery Village/Gaithersburg**  
**STATE: Maryland**  
**DATE STEP A INITIATED: 7/3/06**  
**STEP A MEETING DATE: 8/11/06**  
**DATE RECEIVED AT STEP B: 8/21/06**  
**STEP B DECISION DATE: 11/28/06**  
**ISSUE CODE: 15.2000**

**ISSUE:**

*Did Management violate Article 15 of the National Agreement when they did not abide by the "Dispute Resolution Step A Settlement" dated 12/16/05 at the Montgomery Village office and provide the Union's information requests in a timely fashion and if so, what is the appropriate remedy?*

**DECISION:**

*The Dispute Resolution Team has RESOLVED this grievance. Based on the facts and documentation presented in this case, the Step B Team finds that local Management did violate the National Agreement in this instance. Management will pay the Union a lump sum of one hundred dollars (\$100:00) for failure to abide by the "Dispute Resolution Step A Settlement" and provide the information in a timely manner. No other remedy is granted.*



**EXPLANATION:**

*The local Union requested, from Management, information necessary to investigate and process a possible grievance. Specifically, the Union requested clock rings for the dates 6/19/06, 6/20/06, 6/23/06, 6/24/06, 6/26/06 and 6/27/06. Management did not provide the clock rings for the 19<sup>th</sup>, 20<sup>th</sup>, 23<sup>rd</sup>, and 24<sup>th</sup> until 8/4/06 and the 26<sup>th</sup> and 27<sup>th</sup> until 7/31/06. The case file includes a "Dispute Resolution Step A Settlement", signed by both parties at the Montgomery Village office and dated 12/16/05 which reads in part:*

*"Steward time and requests for information by the local union will be provided within 48 hours of such a request. In the limited instances when the time or information can not be provided with this time frame, the reason why and when it will be provided will be explained to the steward who made the request"*

*The case file does not show that local Management informed the Union that they could not provide the requested information in a timely fashion.*

*The Union contends that local Management failed to provide all the requested clock rings in a timely fashion as required in the Grievance Settlement and asked for \$10.00 a day for every day, per day, per request that the information was not delivered within 48 hours as required.*

*Management contends that the Supervisor who received the request for information didn't understand what the Union actually wanted and printed out what he thought was correct only to find that the Union wanted more. Management also contends that because these reports are lengthy and time-consuming to print, an extension will be requested to exceed the time limits in the future.*

*After reviewing all the documentation in this case, the Step B Team finds that Management violated the National Agreement. The Team agrees that local Management was bound by the language found in the "Dispute Resolution Step A Settlement" dated 12/15/05 and was contractually obligated to provide the information requested by the Union within the time limits prescribed (48 hours). Since Management did not provide the information within 48 hours or inform the Union that the requested information could not be provided within the time allotted, the Step B Team concurs that Management's failure to provide the information was a breach of the cited settlement and a violation of the contract.*

*Based on the facts and documentation in this case, the Team finds it wholly appropriate in this instance, to render the above stated decision.*

**Case File Inventory:**

**PS Form 8190-2 pages**

**List of NALC Attachments- 1 page**

**Grievance Extension Forms- 2 pages**

**"Dispute Resolution Step A Settlement"-1 page**

**Union's Requests for Information-5 pages**

**TACS reports-6 pages**

*Tonya L. Detrick 11-28-06*

**Tonya L. Detrick  
NALC Step B Representative**

*Leopold A. Potsiadlo 11/28/06*

**Leopold A. Potsiadlo  
USPS Step B Representative**

**USPS GATS#: K01N-4K-C 06202322**

**CC: Step A Parties**

**District Labor Relations**

**National Business Agent**

**Capital Metro Labor Relations**