

Step B Team: (Chatman & Qualls)
District: (Nashville, TN)

Decision: RESOLVED
USPS Number: H01N-4H-C 06007279
Grievant: DICKEY, JR., COY R.
Branch Grievance #: B4-00209-05
Branch: 4
Installation: NASHVILLE
Delivery Unit: BELLE MEADE
State: TN
Date Step A Initiated: 10-27-05
Step A Meeting Date: 11-04-05
Date Received at Step B: 11-08-05
Step B Decision Date: 11-21-05
Issue Code: 19.2000

ISSUE

Did management violate Articles 15 and 19 of the National Agreement by instructing the grievant not to finger through a third bundle of flats that were banded out by individual stops? If so, what is the appropriate remedy?

DECISION

The Dispute Resolution Team (DRT) has agreed to resolve this grievance. The DRT agrees that the quotations from Postal Publications in the explanation section of this grievance shows that letter carriers are allowed to finger the mail on the street prior to delivery.

EXPLANATION

The union filed this grievance maintaining that management violated the National Agreement by instructing the grievant to deliver a third bundle of flats rubber banded out by individual stops without fingering through the mail. The union also contended that on 10/20/05 letter carrier Maxey cased mail on the grievant's route 532 and that the grievant carried that mail to the street on 10/21/05 as a third bundle.

Management maintained that it is unnecessary and a time-wasting practice for the delivery carrier to remove the rubber band and finger through the mail which had already been separated for delivery. Management also maintained that the union is attempting to limit management's right to deliver the mail in the most efficient method.

Section 125.6 of the M-39 Handbook reads as follows:

"Carriers shall finger mail *except* when driving or when walking up or down steps or curbs, when crossing streets, or when this would create a safety hazard to themselves or the public."

Publication 32 Glossary of Postal Terms, page 45 contains the following:

"fingering the mail - Checking the address on the mail between delivery stops on a carrier route before selecting mail pieces for the next stop."

Section 321.5 of the M-41 Handbook reads as follows:

"Finger mail between delivery stops placing it in order of delivery (see section 133.2). When withdrawing flats from satchel, observe and remember address of next piece to avoid back-tracking."

Glossary page 114 of the M-41 Handbook contains the following:

"Fingering – The final separation of mail for the next several stops and verification of the address before delivery. (A foot carrier performs this operation enroute between deliveries. A motorized carrier fingers mail as he walks from the vehicle to a house box, or if delivery is at a curb box, he fingers the mail in the vehicle before placing in the box)."

This grievance file contained the following documents:

- (1) PS Form 8190
- (2) Union's contentions, 2 pages
- (3) Handwritten note dated 10/18/05 by Dickey to Tamara
- (4) Contentions informal A meeting
- (5) PS Form 3996 dated 10/20
- (6) Employee Everything report for grievant for 10/20/05
- (7) Carrier Auxillary Workhour Transfers for 10/21, TY 06, WK 3
- (8) Employee Everything Report for grievant for 10/21/05
- (9) Management's contentions
- (10) Page 114 and 8 from M-41 Handbook
- (11) Page 26 from M-39 Handbook
- (12) Union's request for Information dated 10/27/05

In reaching the above decision, the DRT carefully reviewed each of the documents and placed the appropriate weight to each as it applied to the issue in this grievance.


DORTHEA CHATMAN, USPS


FRED QUALLS, NALC

copies to:

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