

REGULAR ARBITRATION

In the Matter of the Arbitration)	USPS Case #G11N-4G-C 17416149
)	
Between)	Branch Case #1975317
)	
UNITED STATES POSTAL SERVICE)	DRT #08-399311
)	
And)	Grievant: Class Action
)	
NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO)	Location: Minden, LA
)	

BEFORE: TOM MAIER, ARBITRATOR

APPEARANCES:

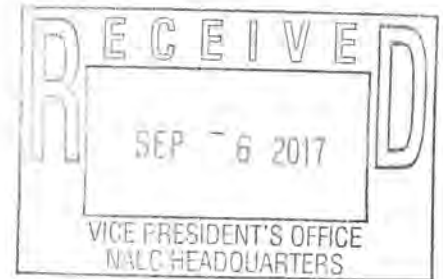
For the U.S. Postal Service: Shieleta D. Augustus

For the Union: Corey Walton

Place of Hearing: Minden, LA

Date of Hearing: August 17, 2017

Date of Award: August 19, 2017



AWARD: Directed Award.

PANEL: Southern Area Region 8

AWARD

Management at the Minden Installation is ordered to cease and desist using the PET as the sole basis for discipline of letter carriers in the absence of demonstrated performance deficiencies or failure to complete the route within daily negotiated times. Management shall cease and desist from violating Articles 5, 19 and 41 by utilizing the PET as a sole measurement of determining route times instead of the official methods according to Handbooks M-39 and M-41.

Thomas F. Maier

_____, August 19, 2017

INTRODUCTION

The instant case is submitted to the Arbitrator pursuant to the terms of the grievance arbitration provisions set forth in the Collective Bargaining Agreement of the parties. Hearing was held at 111 S. Monroe Street, Minden, LA on August 17, 2017. The parties were afforded a full and complete opportunity to present evidence and witnesses with respect to their positions in this dispute. A recess was requested directly after the parties made opening statements. Upon resuming the hearing, the parties announced they settled the dispute. The following represents the agreement between the parties. The parties stipulated that the matter is properly before the Arbitrator.

ISSUE:

The Union:

Did Management violate Articles 3 or 5 or 14 or 15 or 16 or 34; and/or M-39, Section 115 or 122 or 242; and/or M-41, Section 121 or 131 or 28 or Chapter 9 via Article 19 and/or Step 4 decisions 00829 or 1242/43 or 1444 or 1624 or 1664 or 1729 in the way the Performance Engagement Tool (PET) program is administered? If so, what shall the remedy be?

Management:

Is the grievance arbitrable under the principles of Res Judicata? If not, what shall the remedy be?

BACKGROUND

The Union contends that Minden Management is using PET daily to establish office and street time projections and by so doing, has created an artificial guideline to issue discipline.

Management contends that PET is a tool developed by headquarters and used Nation-wide. Any challenge to the program must be made by the Union at the National level rather than the local level. Further, references in this dispute to disciplinary actions issued using PET data as a foundation are moot. Those actions have been previously resolved.

AWARD

Management at the Minden Installation is ordered to cease and desist using the PET as the sole basis for discipline of letter carriers in the absence of demonstrated performance deficiencies or failure to complete the route within daily negotiated times. Management shall cease and desist from violating Articles 5, 19 and 41 by utilizing the PET as a sole measurement of determining route times instead of the official methods according to Handbooks M-39 and M-41.