



UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20000-0001

ARTICLE	19
SECTION	437.1
SUBJECT	Waiver of Claim for Erroneous Payment of Pay

Mr. John A. Morgen
Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO
817 14th Street, N.W.
Washington, D.C. 20005-3399

DEC 17 1984

Re: J. DiJesus
New Haven, CT 06511
H1C-1J-C 30644

Dear Mr. Morgen:

On November 9, 1984, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The question in this grievance is whether management is obligated to automatically distribute Form 3074 Request for a Waiver of Claim for Erroneous Payment of Pay, when compensation cases are later denied by the Department of Labor.

Further review of this matter reveals that ELM 437.1 clearly states that an employee makes the request for erroneous overpayment. In addition, the employee is granted up to three years to request a waiver action from the date on which the erroneous payment was discovered.

In view of the provisions as provided by the Employee and Labor Relations Manual, management has met its responsibility in this matter. Therefore, this grievance is denied.

Sincerely,

Daniel A. Kahn
Labor Relations Department