



UNITED STATES POSTAL SERVICE
Labor Relations Department
475 L'Enfant Plaza, SW
Washington, DC 20260-4100

April 27, 1989

ARTICLE	19
SECTION	ELM
SUBJECT	BACK PAY

Mr. Thomas A. Neill
Director, Industrial Relations
American Postal Workers
Union, AFL-CIO
1300 L Street, NW
Washington, DC 20005-4107

Dear Mr. Neill:

On April 19 Anthony J. Vegliante met with you in prearbitration discussion of Case H4C-NA-C 82. The issue in this grievance is whether the change to the Employee and Labor Relations Manual (ELM), Section 436, back pay, is fair, reasonable, and equitable.

During the discussion, it was mutually agreed upon that the following would represent full and complete settlement of this case:

1. The language of Section 436.425 of the ELM would be restored to the original language before the change with the exception of the words "1 year," which are to be replaced by the words "6 months." This would result in Section 436.425 of the ELM reading as follows:

"If the back pay period is more than 6 months and no outside employment was obtained, make a statement giving the reasons why outside employment was not obtained and furnish a resume of the efforts to secure other employment during the back pay period."

2. This change to the ELM will be issued in a future Postal Bulletin.

3. Notice of the employee's duty and responsibility under Section 436 of the ELM to mitigate damages will be included in letters of removal and letters of indefinite suspension beginning July 15, 1989.

Please sign and return the enclosed copy of this letter acknowledging your agreement with this settlement withdrawing Case No. H4C-NA-C 82 from the pending national arbitration listing.

Anthony J. Vagliante
Anthony J. Vagliante
General Manager
Programs and Policies
Division
Office of Contract
Administration

Thomas A. Neill
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Director
Industrial Relations
American Postal Workers
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4/28/89
Date