



UNITED STATES POSTAL SERVICE  
475 L'Enfant Plaza, SW  
Washington, DC 20260

November 24, 1981

ARTICLE	19
SECTION	ELM
SUBJECT	LWOP VETERAN

Mr. Gerald Anderson  
Executive Aide, Clerk Craft  
American Postal Workers Union, AFL-CIO  
817 - 14th Street, NW  
Washington, DC 20005

Re: R. Marcum  
Greensboro, NC 27495  
S8C-3P-C-33859 2646

Dear Mr. Anderson:

On November 13, 1981, we met with you to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The matters presented by you as well as the applicable contractual provisions have been reviewed and given careful consideration.

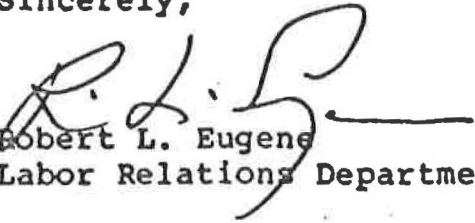
The question in this grievance is whether or not management violates Article XIX of the National Agreement when it denies the request of an employee for leave without pay (LWOP) to recuperate from eye surgery. The employee has a service connected disability. He feels that Executive Order No. 5396 requires the Postal Service to grant his request for LWOP. The Executive Order reads, in part, as follows:

With respect to medical treatment of disabled veterans who are employed in the Executive Civil Service of the U. S., it is hereby ordered that, upon the presentation of an official statement from duly constitute medical authority that medical treatment is required, such annual or sick leave as may be permitted by law and such leave without pay as may be necessary shall be granted....

In our opinion, local management has met the requirements of Executive Order No. 5396. The purpose of the Order is to assure disabled veterans LWOP to cover medical absences when annual or sick leave is insufficient. It does not lock management into granting LWOP upon demand by the veteran.

The grievance, to the extent discussed above, is denied.

Sincerely,

  
Robert L. Eugene  
Labor Relations Department