



10-1
Sick

EMPLOYEE AND LABOR RELATIONS GROUP
Washington, DC 20260

8

AUG 24 1979

ARTICLE	19
SECTION	ELTA
SUBJECT	
MEDICAL NOT REQUESTED IN ADVANCE	

Mr. William J. Kaczor
Executive Vice President, Maintenance Craft
American Postal Workers Union, AFL-CIO
817 - 14th Street, NW
Washington, DC 20005

Re: R. LoMastro
Selden, NY
AC-N-27805/V78-37429
APWU - 27805

Dear Mr. Kaczor:

On May 2, 1979, 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.

Based on the evidence presented in this grievance, we find that the Union has failed to offer substantive evidence in support of their allegations of harassment. Quite the contrary, it is our position that in the grieved circumstances considered, local management had sufficient reason to request that the grievant medically substantiate her request for approved absence due to an alleged illness. To this degree, the grievance is denied. It is noted that the grievant was not in a restricted leave status and the request for medical substantiation was not made until the grievant had returned to work. In these circumstances, we find that the grievant's request for approved annual leave in lieu of sick leave should have been approved by local management notwithstanding the reason offered by the grievant as the basis for the claimed illness. Accordingly, the Union's request that the grievant's request for approved annual leave in lieu of sick leave be granted is sustained.

By copy of this letter, the Postmaster is informed of this decision and instructed to correct the grievant's time records; arrange for payment to the grievant of eight (8) hours pay at the applicable straight time rate in effect on the date of the grieved incident; and reduce the grievant's current annual leave balance by eight (8) hours.

Sincerely,

Karl A. Wise

Karl A. Wise
Labor Relations Department