



UNITED STATES POSTAL SERVICE
475 L'Enfant Plaza, SW
Washington, DC 20060

ARTICLE	19
SECTION	ELM
SUBJECT	NAME
	BADGES

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

JUL 5 1984

Re: J. Fraise
Attleboro, MA 02703
H1C-1E-C 1808

Dear Mr. Wilson:

On November 16, 1982, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

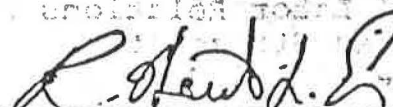
At our discussion, we determined that this grievance was similar to national level grievance H1C-NA-C6, which has been certified for arbitration. Therefore, we mutually agreed to hold this case in abeyance pending a decision on that grievance.

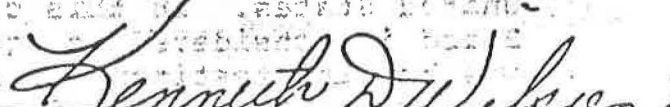
The arbitrator rendered this decision on May 2, 1983. He concluded the Postal Service policy as regards the name badge requirement is fair, reasonable and equitable, and not inconsistent with the National Agreement. Accordingly, we agreed to close this grievance on that basis.

Please sign and return the enclosed copy of this decision as your acknowledgment of agreement to close this case.

Time limits were extended by mutual consent.

Sincerely,


Robert L. Eugene
Labor Relations Department


Kenneth D. Wilson
Assistant Director
Clerk Division

American Postal Workers Union, AFL-CIO

I N T E R P R E T A T I O N

19

Article X, Section 2
Page 13
A8-W-0046
Denver, BMC, Colorado

ELM.
NLRB ATT.

EMPLOYEES ARE ENTITLED TO LEAVE AND ARE PERFORMING
OFFICIAL DUTY WHEN SUBPONENAED BY NATIONAL
LABOR RELATIONS BOARD TO TESTIFY
AS WITNESS IN ANY CAPACITY

Article X, Section 2:

"The leave regulations in Subchapter 510 of the
Employee and Labor Relations Manual, insofar as
such regulations establish wages, hours, and working
conditions of employees covered by this Agreement,
shall remain en effect for the life of this Agree-
ment".

The grievence alleged that management improperly denied ad-
ministrative leave to two employees when they were subpoenaed
to testify before the National Labor Relations Board.

The remedy requested the grievants be granted eight (8)
hours of court leave in lieu of LWOP or equivalent.

Step 4 Settlement, August 28, 1979:

"During our discussion, we concluded that at issue in
this grievance is whether Postal Service employees are
performing official duty when subpoenaed by the National
Labor Relations Board to testify as witnesses in any
capacity.

"After reviewing the information available, it is our
position that by virtue of P.L. 91-563 amended by 5 U.S.C.
6322, and now addressed in the Employee and Relations Manual
516.41, such employees are performing official duty during
the period with respect to which they are summoned to
testify or produce official records on behalf of the
United States. In this case the National Labor Relations
Board is considered an agency of the United States, thus
whether the testimony is favorable to the Postal Service,
adverse to the Postal Service, or unrelated to the Postal
Service, such testimony is considered as performing official
duty.

"By copy of this letter, the Postmaster is instructed to make
the necessary pay adjustments."