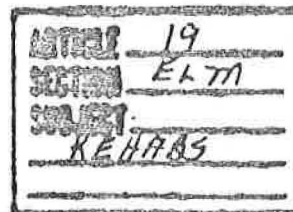




UNITED STATES POSTAL SERVICE  
475 L'Enfant Plaza, SW  
Washington, DC 20260



JAN 3 1986

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

Re: A. Smith  
White River Jun., VT 05001  
H4C-1K-C 3873

Dear Mr. Tunstall:

On October 31, 1985, and again on November 19, 1985, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether management is required to place an employee who was injured on duty into a residual vacancy.

The union contends that said employee should only be reassigned into a residual vacancy rather than into a job created to suit the employee's medical limitations; and that an OWCP referral is required under Part 546.141 of the ELM which references 546.32 (Work Limitation Tolerances) under OWCP Referrals.

It is the position of the Postal Service that no contractual obligation exists to reassign employees injured on duty to residual vacancies. Under Part 546 of the Employee and Labor Relations Manual (ELM), the Postal Service has certain legal obligations to employees with job related disabilities pursuant to 5 U.S.C. Section 8151 and the Office of Personnel Management regulations. Article 21, Section 4, of the National Agreement acknowledges these legal obligations. The statutory and regulatory responsibilities toward on-the-job injuries are obligatory in nature and given priority consideration when assigning ill or injured employees.

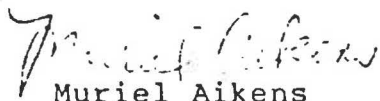
Mr. Robert Tunstall

2

Moreover, the placement of an employee under Part 546.141 of the ELM does not require a referral from the Office of Workers Compensation. Accordingly, this grievance is denied.

Time limits were extended by mutual consent.

Sincerely,



Muriel Aikens  
Labor Relations Department