



Art 28

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

ARTICLE	<i>28</i>
SECTION	
SUBJECT	<i>FITNESS FOR DUTY, FAILED TO REPORT</i>

NOV 9 1984

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

Re: M. Lawrence
Aptos, CA 95003-9998
H1C-5H-C 24134

Dear Mr. Morgen:

On November 9, 1984, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether a letter of demand issued the grievant for \$200.00 for his failure to appear for a Fitness-for-Duty examination was proper.

After further review of this matter, we agreed that there was no national interpretive issue fairly presented as to the meaning and intent of Article 28 of the National Agreement. Whether the grievant failed to go to the appointment deliberately to cause financial hardship to the postal service or whether the employee was correctly notified that his failure to appear would result in his being charged for the bill are both noninterpretive issues.

Accordingly, we agreed to remand this case to Step 3 for further consideration by the parties.

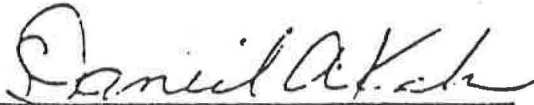
Please sign and return the enclosed copy of this decision and acknowledgment of our agreement to remand this grievance.

Mr. John A. Morgen

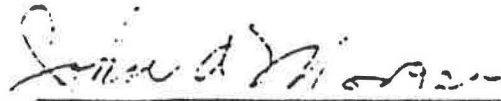
2

Time limits were extended by mutual consent.

Sincerely,



Daniel A. Kahn
Daniel A. Kahn
Labor Relations Department



John A. Morgen
John A. Morgen
Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO