



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

DEC 23 1983

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

ARTICLE	37
SECTION	2.22
SUBJECT	MUTUAL EXCHANGES VACANCY POSTING

Re: APWU - Local  
Redwood City, CA 94064  
B1C-5B-C 16429

Dear Mr. Wilson:

On December 8, 1983, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.


The question in this grievance is whether a mutual exchange of positions requires the duty assignments involved in the exchange to be posted for bid.


During our discussion, it was mutually agreed that the following would represent a full settlement of this case:

All duty assignments vacated as a result of mutual exchanges pursuant to ELM 351.6 must be posted for bid, in accordance with the provisions of Article 37, Section 3.A.1, of the National Agreement.

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

Sincerely,

  
\_\_\_\_\_  
Thomas J. Lang  
Labor-Relations Department

  
\_\_\_\_\_  
Kenneth D. Wilson  
Assistant Director  
Clerk Division  
American Postal Workers  
Union, AFL-CIO

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Redwood City, CA

MUTUAL AGREEMENT BETWEEN TWO  
EMPLOYEES TO EXCHANGE POSITIONS

Article 37.3.A.1:

"All newly established craft duty assignments shall be posted for full-time regular craft employees eligible to bid within 10 days. All vacant duty assignments, except those positions excluded by the provisions of Article 1, Section 2, shall be posted within 21 days unless such vacant duty assignments are reverted or where such vacancy is being held pursuant to Article 12."

The issue raised in this case involved whether a mutual agreement between two employees to exchange assignments required the position exchanged to be posted.

The local union contended that the position in question should have been posted and awarded in accordance with the provisions of Article 37, Section 3.A.1.

Local management contended that it was within their rights, in the case of a mutual trade to place an incoming employee in a duty assignment, vacated by an employee leaving the position.

Step 4 Decision 12/23/83:

All duty assignments vacated as a result of mutual exchanges pursuant to ELM 351.6 must be posted for bid in accordance with the provisions of Article 37, Section 3.A.1, of the National Agreement."