



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

February 26, 1982

ARTICLE	37
SECTION	F4C
SUBJECT	
	<i>Prisoner</i>
	<i>Failure</i>

Mr. Wallace Baldwin, Jr.  
Administrative Vice President  
Clerk Craft  
American Postal Workers Union, AFL-CIO  
817 - 14th Street, NW  
Washington, DC 20005

*AP-7-1610*

Re: J. Bari  
GMF, Boston, MA 02205  
H8C-1E-C-18927

Dear Mr. Baldwin:

On February 23, 1982, you met with Margaret Oliver for a pre-arbitration discussion of the above-referenced case.

The question in this grievance is whether management violated the provisions of Article XXXVII, Section 3F4C, by denying to a senior bidder, who has previously failed to qualify on an LSM assignment, the right to bid on another LSM assignment.

During the discussion, it was agreed that if the senior bidder for an MPLSM duty assignment is an employee who is not machine qualified and who has previously failed in one or more attempts to complete the prescribed training successfully, the circumstances of the case must be carefully reviewed and evaluated to determine whether to select or pass over the employee. Consideration must be given to the following factors, if determinable: the length of time since the last failure to complete the prescribed training successfully; the point in the training where the failure occurred; the cause of the failure; and whether the reason for the prior failure continues.

Based on the above, we agreed to remand this case back to Step 3 level for determination by the parties at that level as to whether the grievant in this instant case was improperly denied the opportunity to bid. The grievance should be disposed of at that level.

Please sign the attached copy of this decision as your acknowledgment of the agreed to settlement of this grievance.

Sincerely,

*George S. McDougald*

George S. McDougald  
General Manager  
Grievance Division  
Labor Relations Department

*Wallace Baldwin, Jr.*

Wallace Baldwin, Jr.  
Administrative Vice President  
Clerk Craft  
American Postal Workers Union,  
AFL-CIO