

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

APWU  
CLERK DIVISION

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

MAY 24 1985  
SECTION \_\_\_\_\_  
SUBJECT \_\_\_\_\_  
*Step 1*

Re: C. Smith  
West Palm Beach, FL 33401  
H1C-3W-D 40253

Dear Mr. Connors:

On May 2, 1985, we met to discuss the above-captioned case at the fourth step of our contractual grievance procedure. We again discussed this matter on May 14, 1985.

The issue in this grievance is whether management properly settled the adverse action in question at a lower stage in the grievance-arbitration procedure.

After further review of this matter, we mutually agreed that there was no national interpretive issue fairly presented in this case. Whether the union, in this instance, was a participant in grievance discussions at Step 1 is a local factual dispute.

Should a union representative participate in a Step 1 grievance discussion, at the request of the aggrieved employee, the union representative shall also participate in reaching a settlement of the case. If the employee does not request union representation, however, management has no contractual obligation to include the union in any settlement of the said grievance at Step 1.

Accordingly, as we further agreed, this case is hereby remanded to Step 3 for application of the above provisions.

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

Time limits were extended by mutual consent.

Sincerely,

*Muriel Aikens*  
Muriel Aikens  
Labor Relations Department

*James Connors*  
James Connors  
Assistant Director  
Clerk Craft Division  
American Postal Workers Union,  
AFL-CIO