

UNITED STATES POSTAL SERVICE
Labor Relations Department
475 L'Enfant Plaza, SW
Washington, DC 20260-4100

Mr. Robert L. Tunstall
Assistant Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO
1300 L Street, N.W.
Washington, D.C. 20005-4107

ARTICLE	<u>15</u>
SECTION	_____
SUBJECT	<u>EXPEDITED ARBITRATION</u>

Re: H4C-4G-D 19880
M. HELMS
INDIANAPOLIS, IN 46206

Dear Mr. Tunstall:

On December 14, 1989, we met to discuss the above-captioned grievance at the fourth step of our contractual grievance procedure.

The issue in this grievance is whether one party can unilaterally appeal from an expedited arbitration hearing to Step 4.

The parties mutually agree that Article 15.4.C.2 provides that either party can refer a case to the Regular Regional Arbitration panel provided that party notifies the other party of the referral at least 24 hours prior to the scheduled time for the expedited hearing.

The parties further agree that Article 15.4.C.3.e provides that the arbitrator can conclude at the hearing that the case should be referred to the Regular Regional Arbitration Panel or the parties can mutually agree at the hearing to refer the case to the Regular Regional Arbitration Panel.

Based on the Labor Agreement provisions cited above, cases cannot be referred from expedited arbitration to Step 4 under any circumstances. Additionally, referral from expedited to Regular Regional Arbitration must occur in accordance with the provisions of Article 15.4.C.2 or 15.4.C.3.e.

We agreed to remand this case on a non-precedential non-citable basis to the parties at Step 3 for further processing, including arbitration if necessary.

While the remand of this case is non-precedential the principles established in this settlement shall carry the full force and effect of a Step 4 decision.

Time limits were extended by mutual consent.

Sincerely,

David A. Stanton
David A. Stanton
Grievance and Arbitration
Division

Robert L. Tunstall
Robert L. Tunstall
Assistant Director
Clerk Craft Division
American Postal Workers
Union, AFL-CIO

Date: 1-11-90