

June 9, 2023

Mr. Michael O. Foster
Director, Motor Vehicle Service Division
American Postal Workers Union, AFL-CIO
1300 L Street NW
Washington, DC 20005-4128

RE: Q 10V-4Q-C 15020133
APWU#A19V20140804
Washington DC, 22260-4100

Dear Mike:

The parties met at Step 4 of the grievance-arbitration process to discuss the above referenced grievance. The dispute was initiated at Step 4 by the American Postal Workers Union (APWU). Time limits were extended by mutual consent.

The issue presented by the APWU concerns the Postal Service's decision to obsolete PS Form 4583, *Physical Fitness Inquiry for Motor Vehicle Operators (MVO)* and whether Union officials are entitled to an employee's medical records in a grievance investigation.

The parties agree the issue is resolved based on the mutually agreed upon explanation as stated in the 2022 Joint Contract Interpretation Manual (JCIM). The JCIM specifically provides the following language relative to this issue:

Article 39, Questions and Answers

59. What is the proper form to use for a Department of Transportation physical?

Response: The Physical Examination Form, which meets the requirements of the Department of Transportation, is to be used by the Examiner for the certification exam. PS Form 2465 is no longer used for Department of Transportation physicals.

Article 17, Questions & Answers Representation

4. Must an employee's medical records be released to the Union in the course of its investigation of a grievance?

Response: Medical records (under the authority and control of the Postal Service) that are requested in the course of the investigation of a grievance will be released if it meets the criteria outlined in Handbook AS-353 Appendix (USPS 120.090).

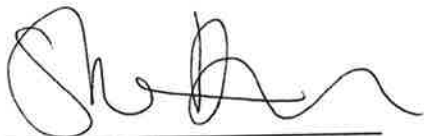
For clarification, Handbook AS-353, Appendix (USPS 120.090) has been moved and is currently found in Handbook AS-353, Appendix Privacy Act Systems of Records, Section D.2.6, which states the following:

Section D.2.6, Disclosure to Labor Organizations

As required by applicable law, records may be furnished to a labor organization when needed by that organization to perform its duties as the collective bargaining representative of Postal Service employees in an appropriate bargaining unit.

The parties agree that the above understanding will be applied to any cases held pending the outcome of this dispute.

Sincerely,



Shannon R. Richardson
Director
Contract Administration (APWU)
U.S. Postal Service



Michael O. Foster
Director, Motor Vehicle Service
American Postal Workers Union,
AFL-CIO